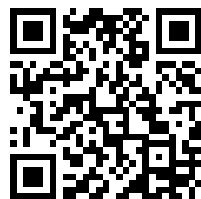

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THE ENGLISH
HISTORICAL REVIEW

EDITED BY

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The Alleged Phoenician Circumnavigation of Africa

*Considered in Relation to the Theory
of a South African Ophir*

THE surprise with which many people accepted Mr. Randall-MacIver's demonstration that the great age of Zimbabwe had been taken for granted rather than proved shows how easily a theory may win popular acceptance if it appeal, as did the theory of a South African Ophir, to popular sentiment, and may add force to the suggestion to be advanced in this paper, that the legend of a Phoenician circumnavigation, attractive as it certainly is, has little in it beside this attractiveness to justify its wide acceptance in modern times.¹ For undoubtedly the famous story, told by Herodotus, that certain Phoenicians in Egyptian employ succeeded, some six hundred years before Christ, in sailing all the way round Africa, has been acquiring strength in its progress through what we are accustomed to consider a critical age. When, for instance, we find, in the vast German *World's History*, published

¹ A brief abstract of the following paper appeared in the *Geographical Journal* for September 1906, and evoked some criticisms, to which its author hopes that the full text of the article will be found to have, in anticipation, supplied an answer. The article was written before the results of Mr. MacIver's inquiries into the age of the South African ruins had been made known, and therefore when the believers in the high antiquity of these ruins were more numerous than they are now or are ever likely to be again.

in an English form by Mr. Heinemann, 'the celebrated circumnavigation of Africa under Necho II in 608 B.C.' mentioned simply as 'a feat which throws the most vivid light on the boldness and skill of the Phœnician mariners'² who performed it, we see how a story, from having been accounted by some an idle fable, by others at best a not impossible tradition, may end by establishing itself as a sober narrative of unquestioned fact, without the advancement of a single new argument in its favour.

Now it will hardly be doubted that the favour bestowed of late on the ancient legend is due, at least in part, to the belief that it in some way confirms, or is itself confirmed by, the fashionable theory that Solomon got his gold from South Africa. We find the story accepted by such upholders of this theory as Dr. Carl Peters,³ Messrs. Hall and Neal,⁴ and Dr. A. H. Keane.⁵ But in this matter modern criticism seems to me strangely at fault. The very existence of the Phœnician legend, even if we regard it as a fable, is a difficulty in the way of those who would claim a pre-Hellenic antiquity for the South African ruins and gold mines; while if, as Dr. Peters assures us, 'the account' of Herodotus 'is in every way trustworthy,' then the difficulty becomes much stronger; for it must be borne in mind that by 'the account of Herodotus' we have no right to understand anything but the story actually to be found in that historian's works. That the Phœnicians might have circumnavigated Africa, if supplied by the resources of Sofala and aided by long acquaintance with southern winds and currents, may—or may not—be true. But that, under these conditions, they did so not a particle of historical evidence suggests.

All that we know, if indeed we know anything, of the Phœnician expedition is contained in one passage of Herodotus, who is supposed to have made his travels in Egypt, where presumably he heard the story, about 450 B.C. This famous passage is much more familiar to most of us than its context, which, however, is not unimportant. Herodotus cites the story merely as evidence for a theory advanced by himself—that Libya, as he calls Africa, is not so large as Europe, being of comparatively small extent from north to south. What follows I shall quote in the English of Rawlinson, a believer in the legend, and therefore not to be suspected of any bias in my favour.

As for Libya, we know it to be washed on all sides by the sea, except where it is attached to Asia. This discovery was first made by Necho the Egyptian king, who on desisting from the canal which he had begun

² Vol. ii. p. 590.

³ *The Eldorado of the Ancients*, p. 317.

⁴ *The Ancient Ruins of Rhodesia*, p. 29.

⁵ *The Gold of Ophir*, p. 94; *Geographical Journal*, xxvii. 338. Dr. Keane has since (in the number for October 1906) disclaimed reliance on, while he avows belief in, the Phœnician legend.

between the Nile and the Arabian Gulf, sent to sea a number of ships manned by Phoenicians, with orders to make for the Pillars of Hercules, and return to Egypt through them, and by the Mediterranean. The Phoenicians took their departure from Egypt by way of the Erythraean Sea, and so sailed into the southern ocean. When autumn came, they went ashore, wherever they might happen to be, and having sown a tract of land with corn, waited until the grain was fit to cut. Having reaped it, they again set sail; and thus it came to pass that two whole years went by, and it was not till the third year that they doubled the Pillars of Hercules, and made good their voyage home. On their return, they declared—I for my part do not believe them, but perhaps others may—that in sailing round Libya they had the sun upon their right hand. In this way was the extent of Libya first discovered. Next to these Phoenicians the Carthaginians, according to their own account, made the voyage. For Sataspes, son of Teaspes, the Achaemenian, did not circumnavigate Libya, though he was sent to do so.⁶

I have continued the quotation rather further than is usual, in order to bring out a point which is generally overlooked. Herodotus seems to mention, or rather to hint at, more than one circumnavigation; his followers seem to understand him as speaking only of one. And, indeed, a Carthaginian circumnavigation cannot easily be accepted; for if Rawlinson, in the last two sentences quoted, rightly interprets a rather ambiguous passage,⁷ we must understand that there was a Carthaginian success, and perhaps also that it was later than the failure of Sataspes, who, as Herodotus goes on to tell us, lived in the reign of Xerxes (485–465 B.C.) It may therefore have taken place even within the lifetime of Herodotus himself. Surely it is strange that so recent an adventure should have passed, as it must, almost immediately into complete oblivion.

How too are we to reconcile such a story with the history of Hanno's voyage down the West African coast, of which a very remarkable narrative has come down to us in a Greek translation? One can hardly read this fascinating story without perceiving that,

⁶ Herod. iv. 42. Λιβύη μὲν γὰρ δηλοῖ ἐνυτὴν ἐοῦσα περίρρυτος, πλὴν ὅσον αὐτῆς πρὸς τὴν Ἀσίην οὐρίζει· Νεκὰ τοῦ Αἰγυπτίων βασιλέως πρώτου τῶν ἡμεῖς ἴδμεν καταδέξαντος. *Ὅς ἐπεὶ τε τὴν διώρυχα ἐπαύσατο ὁρύσσων τὴν ἐκ τοῦ Νείλου διέχουσαν ἐς τὸν Ἀράβιον κόλπον, ἀπέπεμψε Φοίνικας ἄνδρας πλοίοισι, ἐντειλόμενος ἐς τὸ ὅπισω δι' Ἑρακλῆων στηλῶν διαπλέειν ἕως ἐς τὴν βορρῆην θάλασσαν, καὶ οὕτω ἐς Αἴγυπτον ἀπικνέεσθαι. Ὁρμηθέντες ἂν οἱ Φοίνικες ἐκ τῆς Ἐρυθρῆς θαλάσσης, ἔπλεον τὴν νοτίην θάλασσαν. Ὅπως δὲ γίνετο φθινέσκον, προσίσχοντες ἂν σπεῖρεσκον τὴν γῆν, ἵνα ἐκάστοτε τῆς Λιβύης πλείοντες γνωρίωτο, καὶ μένεσκον τὸν ἥμικτον· θερίσαντες δ' ἂν τὸν σίτον, ἔπλεον· ὥστε δύο ἐτέων διεξιθόντων, τρίτῃ ἔτει κάμψαντες Ἑρακλῆας στήλας, ἀπίκοντο ἐς Αἴγυπτον. Καὶ ἔλεγον, ἐμοὶ μὲν οὐ πιστὰ, ἄλλω δὲ δὴ τεφ, ὥς περιπλώοντες τὴν Λιβύην, τὸν ἥλιον ἔσχον ἐς τὰ δεξιὰ. Οὕτω μὲν αὕτη ἐγγνώσθη τὸ πρῶτον. Μετὰ δὲ, Καρχηδόνιοι εἰσι οἱ λέγοντες. Ἐπεὶ Σαρδάπης γε ὁ Τεάσπιος, ἀνὴρ Ἀχαιμανίδης, οὐ περιέπλωσε Λιβύην, ἐπ' αὐτὸ τοῦτο πεμφθείς.

⁷ Gaisford's interpretation—*cognovisse se circumfluat esse Africam*—seems correct. Of course this practically amounts to the same thing as Rawlinson's amplification. An opposition between τὸ πρῶτον and μετὰ δὲ is clearly intended.

whether it be history or fable, it represents the expedition as venturing into an unknown world, of which the Carthaginians did not as yet know the secrets. Hanno therefore, we must suppose, had not heard of the Carthaginian circumnavigation. But Hanno's voyage cannot be proved to have been made before the beginning of the fourth century; that is to say, we are not sure that it was even as early as Herodotus. When can a Carthaginian circumnavigation have taken place which was either later than Hanno or had been forgotten before his time, though it was later than Necho, and was still remembered in the time of Herodotus?

But perhaps Bunbury⁸ is right in thinking that the Carthaginians of Herodotus are to be understood only as asserting that Africa can be sailed round, not that they had actually so sailed. In this case too it is clear that the evidence on which they relied, whether it were strong or weak, whether it were only that of Necho's men, as Bunbury, rather strangely, supposes, or of others, must, in the opinion of Herodotus, have been obtained not earlier than Necho's time. Either then it had been forgotten by the time of Hanno or, if earlier than Hanno, was subsequently forgotten, while the lesser effort of Hanno himself was remembered. The word *περίπλους*, applied to coasting voyages like Hanno's, means literally 'circumnavigation'; and Pliny, probably from a misunderstanding of the word, supposed Hanno himself to have sailed round Africa.⁹ This we know to be false, and possibly there may have been no firmer a foundation for the Phoenician story, which is not nearly so circumstantial as Hanno's. In any case why should we hasten to accept what Herodotus says about the Phoenicians, when we refuse even to listen to what he says about the Carthaginians?

If we now turn to the story itself, a grave difficulty at once arises. Had a genuine report of a real circumnavigation been brought back, it could hardly have failed, one would think, to impress upon men's minds the vast size of Africa, and particularly its prolongation into a very remote south. The report which reached Herodotus confirmed or perhaps originated his belief that Africa was no very large country, its southerly extension being so small. And it must be remembered that this conception, gradually modified indeed by increasing experience, was, until Ptolemy's time, that of nearly all Greek geographers. Strabo knew the eastern coast, by report, as far as Cape Guardafui, the author of the *Periplus Maris Erythraei* at least as far as Zanzibar.¹⁰ But each of these authors believed, as Herodotus had done, that just beyond the point at which his own knowledge

⁸ *History of Ancient Geography*, i. 289 sqq.

⁹ Plin. *H. N.* ii. 67.

¹⁰ The arguments of Dr. Keane (*The Gold of Ophir*, pp. 127-9) and of Dr. Peters (*Eldorado of the Ancients*, pp. 312, 313) to prove that the Menuthias of the *Periplus* was Madagascar seem to me far from convincing.

ended the coast would be found to turn westwards and run in that direction towards the Pillars of Hercules. It is surely an amazing thing, if a voyage round Africa was ever accomplished, that it should not have given rise to any sort of a tradition as to the true shape and great size of that continent. Had it done so it could hardly have been cited, only a century and a half after its accomplishment, in support of a theory which it should have rendered once for all untenable.

Here I would, for the first time, call attention to what seems to me an inconsistency in those who, while upholding the Phoenician legend, at the same time require our belief in a much earlier commerce of Semitic mariners with auriferous South Africa. To account for the profound ignorance of Greek geographers as to the very existence of such a region we must suppose that this commerce had ceased before Hellenic times, or at least had been kept secret with extraordinary success. Surely an Egyptian expedition in 600 B.C. would have gone far to revive memories of the past or to throw a light on the present.

Other difficulties now present themselves. One, as we know, was obvious to Herodotus himself. His disciples, on the other hand, have tried to explain away just that part of the story on which his own faith was doubtless founded. For we shall find those who accept, or profess to accept, the story of Herodotus rejecting, or passing lightly over, what to him was an essential part of it, namely, the fable of the autumnal harvests; while, as will be shown, they spoil the story thus reconstructed by accepting that part, namely, the account of a sun seen on the right hand, which the historian himself rejected.

Of this wonderful voyage, the most wonderful perhaps ever made by man, if it really took place, Herodotus tells us three things—that the expedition lasted into the third year, that it supported itself by raising crops from seed which it carried with it, and that it reported having the sun on the right hand, a statement which is usually, if rather boldly, interpreted to mean that the noontide sun was seen in the north. On the first point much has been written, but the question whether the time assigned is too long or not long enough depends for its answer entirely on the view taken as to the second point. Herodotus clearly believed much time to have been taken up with the harvest operations, and it is here that the wide divergence becomes apparent between the historian himself and the professed believers in his narrative. He, having no suspicion that there existed any of the vast regions which we now call South Africa, imagined his Phoenicians, so soon as they had emerged from the Red Sea, to have entered immediately upon an unknown and inhospitable, though comparatively short stretch of coast-line. They, knowing the vastness of

the country, have felt themselves obliged to argue that it was not unknown and inhospitable, and in fact have shown a strange unanimity in maintaining that South Africa not only existed, but was already a well-known and frequented region, the trade with Sofala having been carried on since Solomon's time. Modern writers on Zimbabwe push back the beginning of this traffic to an age still more remote.

Now the most curious part of this argument is not that its upholders insist upon knowing more than Herodotus about a story for which no authority whatever, save that of Herodotus himself, exists; it is that they should agree in taking his supposed mention of a northerly sun as a confirmation of his story, whereas, if we accept the theory of an already established South African trade route, it ceases at once to have any force at all. The only reason for attaching any importance to this statement lies in the supposition that it could not have been invented. 'Who does not feel,' cries Heeren,¹¹ 'how impossible it was for them to have imagined this fact?' Yet Heeren has just been arguing that the Phoenicians must have had an acquaintance with South Africa of such long standing as to have made them fully conversant with the proper seasons for sowing and reaping. Why then should any call upon their imagination be required? At Sofala, in latitude 20° south, the midday sun is to be seen in the north for much the greater part of the year; and it is impossible to suppose that people who traded regularly with that port did not know this. If the Phoenicians really came back from the far south to startle the world with the tale of a northerly sun it shows very clearly that they can never have been to the far south before.

Since, therefore, this tale of the sun, even if we regard it as fiction, goes against the theory that the world had long been familiar with the phenomena of the southern hemisphere, it is singular that those who strongly advocate that theory should extend their protection to the Phoenician legend. What they feel, no doubt, is the difficulty of admitting that so much which must have been common knowledge in the time of Solomon can have entirely disappeared from the world by the time of Necho; and they have failed to perceive that the story of the expedition, in the only form in which it is told, rather necessitates this admission than avoids it. But to earlier, perhaps more diligent inquirers, such as Rennell, the main reason for presupposing an acquaintance with Sofala was the great difficulty, which we have now to consider, of explaining otherwise how the expedition obtained its supplies. For it was—and is—clear that the explanation given by Herodotus will not do for us. To Vincent, that careful historian of ancient commerce and navigation, this difficulty appeared insuperable. He

¹¹ *Researches*, ii. 76 (English transl.)

points out ¹² that no other expedition of the ancients, even if we accept the dubious story about Scylax, ever went near attempting so enormous an enterprise as the circumnavigation of Africa would in reality have been. It was for lack of provisions that Hanno turned back, before a quarter of the distance had been traversed.

To Herodotus, who had no conception of its magnitude, the duration of the journey, which he gives as between two and three years, would doubtless have seemed impossibly great, had he not been furnished with an explanation which accounted at once for the time consumed and the power of holding out for such a time. The Phoenicians, he says, carried seed with them, and sowed it wherever they might be when the right season came round, waiting at the spot until the harvest could be reaped. But if to Herodotus such a story seemed probable, it was surely just because no real description of the African coasts, such as the Phoenicians ought to have brought back, had reached him. Can we, with the experience of the nineteenth century, pretend to regard the story, with Dr. Peters, as 'in every way trustworthy'? Rennell's treatment of it ¹³ shows plainly enough that to him, a hundred years ago, it appeared, in its unedited form, incredible. It is indeed a strange thing that he should be cited as a great authority who has accepted the narrative of Herodotus. As a matter of fact Rennell himself, and not Herodotus, is the sole author of the story which he offers to us as probable.

Admitting that, even as referring to regions where the interval between seed-time and harvest might be only three months, there were difficulties in the narrative, he proceeded to evade them by a mistranslation. What Herodotus does say is that, wherever the Phoenicians *might happen* to be when autumn comes round, there they would halt, &c., plainly implying that there were more harvests than one. What Rennell makes him say is that 'on the approach of autumn they landed in Libya and planted some corn in the place where they happened to find themselves.' And on this mistranslation he founds the inference that only one harvest is recorded in the history. Possessed by this idea, and feeling the necessity of showing that the best part of the journey was already over before even this harvest was undertaken, Rennell constructs his own story of the expedition, which is briefly as follows—how contrary in spirit to that of Herodotus the reader can judge for himself. The Phoenicians, he says, already conversant with the winds and currents prevailing at different seasons on the east African coast, started from Egypt late in July, entered the Indian Ocean at the end of October, and proceeded easily to the well-known port of Sofala, departing thence—such were then the resources of

¹² *Commerce and Navigation of the Ancients in the Indian Ocean*, ii. 195.

¹³ *Geographical System of Herodotus*, p. 678.

a place absolutely unknown to any Greek geographer—as well victualled as when they set out. Reaching the southern tropic at the end of January, they found no difficulty in rounding the Cape and following the west coast northwards, by the aid of the Atlantic south-east trade wind, with which they seem to have been already acquainted. They thus reached the equator by October, in time to catch what, according to Rennell, is the only wind of the year that would serve to help them westwards along the Guinea coast. About March, and somewhere in Senegambia, they halted to await their one harvest, ‘*a harvest either of their own raising or (what is more likely) the ordinary harvest of the people of the country.*’ The words which I have italicised make plain how little of Herodotus there is in this story of Rennell’s. Though professedly based on the historian’s statement—mistranslated, indeed—about the harvest, it ends by throwing doubt on that very statement, by deliberately, in fact, demolishing its own foundation. The final suggestion, that the one harvest reaped sprang not from the sea-borne Phoenician grain, but from the hypothetical seed of some agricultural natives of West Africa, shows, perhaps as plainly as any flat denial, how incredible to Rennell was the story which Herodotus, if we condescend to refer to him, will be found to have actually related.

We have had a century’s more experience of African coasts and African climates than Rennell, and are we really more ready than he to accept this story? In what fever-haunted mangrove swamp, on what burning karroo did this band of pioneers introduce the agricultural methods of their temperate home, with such easy and immediate success? How did they protect their little crop from the trampling of elephants, the depredations of baboons, the pilfering of strange birds, from springbok and locust; or themselves from mosquito and malaria, from the attacks of fierce and crafty human foes? As to all such adventures, which one feels that Hanno the Carthaginian would not have failed to relate, nor Herodotus the Greek to repeat, the Phoenicians seem to have kept silence. How too did they overcome the difficulty of determining at what time the precious seed should be committed to an alien soil? Herodotus, unacquainted with a tropical world, naturally accepted the statement that they sowed their seed ‘when autumn came.’¹⁴ We know that they must have passed through equatorial regions in which the seasons of our northern world have no existence, through an Antarctic temperate zone where they reappear, but in months of the year opposite to our own. How many autumns did they count on this long, long voyage, during which they crossed the

¹⁴ As Bunbury (*Hist. of Ancient Geography*, i. 292, note) well remarks, the story of Eudoxus, in Strabo, ii. p. 100, proves that this method of obtaining supplies recommended itself naturally to an ancient explorer, and might easily, therefore, be ascribed to the Phoenicians by a romancer.

equator and each of the tropical circles twice? Is it not remarkable that a crew of farmers should have brought back no notice of an inverted year, unless we are to recognise such in the doubtful allusion to a northerly sun?

This allusion is the most curious statement in the story of Herodotus, the one, it has been well said,¹⁵ which, while it made him doubtful, has caused his critics to lay doubt aside—the statement that the Phoenicians reported the sun on their right hand. I must again point out that, if this be taken, as it usually is, for proof of a genuine observation of the noontide sun at the Cape of Good Hope, it should also be taken as a proof that the observers had not been so far—nor indeed anywhere nearly so far—south before. In people already accustomed to the traffic with Sofala a northerly sun would have excited no surprise whatever.

But does Herodotus really speak of a northerly sun? It seems to be, and to have been,¹⁶ generally agreed that he does. Even Vincent, who entirely disbelieved the Phoenician legend, mentions their report of ‘the shadow falling to the south,’ just as if Herodotus had actually used any such words. Is it, I ask with some diffidence, quite so certain that Herodotus really meant his expression to be so understood? What he makes the Phoenicians say is that they had the sun on their right hand, not at a particular point of their voyage, but ‘in sailing,’ or apparently all the time they were sailing, ‘round Libya.’ This was more than he could believe, though he thought apparently that the credulity of others might go so far.

It will be allowed that to have the sun on the right hand is no very unusual experience in any part of the world. To account for its being incredible, or even surprising, to any one we must assume that the observers are to be understood as having seen the sun there either always or at some time when one would have expected it to be elsewhere. The language of Herodotus seems in itself to imply the former alternative. For in their literal sense his words certainly suggest that, during the whole of their voyage round Africa, the Phoenicians saw the sun to their right—never to their left, as it should have been in the mornings as they sailed southwards, in the evenings as they sailed northwards. Such a tale, it may perhaps be said, would be too extravagant for any one to believe. Herodotus at any rate did not believe it. Yet I cannot think it wholly impossible that this may really have been what the informants of Herodotus intended him to believe. It seems extravagant to us, and would have seemed so to Greeks of the scientific age, but Herodotus was born before that age. He

¹⁵ Mannert, *Geographie der Griechen und Römer*, i. 20.

¹⁶ It will be seen from a comparison of Rawlinson, *Herod.* i. 95, with iii. 83, note, that this critic did not understand the argument which he regarded as irresistible.

has himself discussed ¹⁷ the possibility that the sun's southward movement in winter is due to the pressure of northerly winds. We have no reason to suppose that the Egyptians of his day, or of any previous day, were better informed. May not the pretended sanction of the Phoenician story have been given to some old-world legend, according to which Africa, the torrid continent, was the sun's retreat and abode, in such wise that whosoever could go round Africa would go round him ?

If this idea be rejected—and perhaps no more can be urged in its favour than that it is the idea suggested by the actual unparaphrased words of Herodotus—we have to take up the second alternative, that Herodotus understood the sun to have been seen on the Phoenicians' right at a time when he, and presumably they, would have expected to see it somewhere else. Now mariners sailing from north to south, as the Phoenicians must have done at first, would expect to see the sun on their right at its setting. When sailing back from south to north they would expect to see it there at its rising. And when sailing back to the east from the Pillars of Hercules they would expect to see it on their right at noon. But when sailing from east to west at the south of Africa they might, if they were accustomed only to the northern temperate zone, expect to see it on their left at noon, and never full to the right at any time of the day. And this is why it has been assumed that we are to understand Herodotus as surprised at hearing of a noontide sun seen on the right hand, and therefore to the north, by mariners sailing from east to west. For by the inhabitants of northern climes, such as the Phoenicians, the Greeks, and ourselves, the sun is never seen in such a position ; and it is supposed, possibly with truth, that a Greek of the early age in which Herodotus lived might be unable to conceive of its being so seen by anyone anywhere.

But granting all this, admitting that we are to understand the Phoenicians as reporting, to the amazement of Herodotus—and presumably of themselves, or they would not have reported it—that the sun at midday stood in the north, do we obtain any convincing or even suggestive evidence that the Phoenicians had been at the Cape ? To me it seems certain that no such inference can be drawn. The argument of the believers is of course that a story which cannot have been invented must be true. But if we begin by admitting for the moment that the story could have been invented, does not its phraseology strongly suggest that it actually was invented ? We have no right to assume that Herodotus does not correctly represent the language of his informants, and it seems strange that he, and probably therefore they, should mention a phenomenon which could have only occurred at one part of

¹⁷ Herod. ii. 24.

the voyage as if it had been occurring during the whole of it. 'In sailing round Libya,' he says, 'they had the sun upon their right hand.' But it was only while the Phoenicians were sailing from east to west that a northerly sun could be considered as on the right hand.¹⁸ We, who know the true shape of Africa, must perceive that only a very small part of the whole distance would really be traversed in an east to west direction. And half even of this small part would be in the Gulf of Guinea, north of the equator, where the sun at noon would have been seen rather more often in the south than in the north. If, as Rennell maintained, this part of the journey *could* only have been performed in the autumn, then the sun, during all that time, would have been on the *left* hand. But if we look at a map of the world as imagined by Herodotus we see at once that the expression, so far from being strange, is the most natural possible. For Herodotus certainly thought that the Phoenicians, on emerging from the Red Sea, turned at once to the west, and continued to sail in that direction till the Pillars of Hercules were approached and the circumnavigation for practical purposes was complete. His 'southern sea' meant undoubtedly a sea washing the southern shore of Africa, as his 'northern sea,' the Mediterranean, washes the north. Such a circumnavigator as he imagined, if the midday sun appeared to his right hand, would most naturally say that he saw it there 'in sailing round Libya.' But then such a circumnavigator as Herodotus imagined can never have existed. The expression, completely natural to a fictitious explorer, would hardly have been used by a real one.

It may be urged that the language is not that of the explorers themselves, but merely expresses the preconceived views of Herodotus or his informants. But even if it be so—and of course we have not a particle of evidence that it is so—there remains the great difficulty of explaining how there came to be such preconceived views, how a theory so erroneous could survive a voyage which should have refuted it once for all. The view of Herodotus may easily have been founded upon a fictitious narrative; it ought not to have been able to exist when once the true story had been told.

Let us now turn to the more important question, whether the story, sounding so much like an invention, could not have been invented. Was the mention of a noontide shadow falling towards the south, if made, of so startling and unexpected a character that it can only be explained now by supposing an observation actually made in the latitude of the Cape of Good Hope? Modern

¹⁸ The suggestion that 'on the right hand' was merely the usual Phoenician phrase to designate 'the north,' though unsupported by evidence, is hardly so impossible as Gosselin (*Recherches*, i. 204 *sqq.*) supposed. To the Arabs of a later day the *south* was 'on the right hand.'

critics seem to think so ; ancient critics, in such a matter perhaps the better judges, certainly did not. It is, for some reason, not generally understood that the sphericity of the earth is no modern discovery. The modern world in fact received the doctrine not from Copernicus, but from Ptolemy. The Greeks of the Alexandrian age perfectly understood how the apparent positions of the heavenly bodies were, or rather would be, affected by a great change in the observer's latitude. Yet no ancient critic seems to have been in the least impressed by a statement which so many in later times have found convincing.

The reason, I cannot but think, is that the modern scholar is generally less conversant than was the ancient with elementary astronomy. So curious a misapprehension as that of Rawlinson,¹⁹ who apparently believed the Phoenicians to have recorded the original observation that the sun had risen in the east, may be exceptional. But the statement of Larchner that after passing the line ' the Phoenicians must necessarily have had the sun on the right hand ' ²⁰ is, of course, quite untrue, and Grote ²¹ is one of the few among the upholders of the story who seem to have clearly realised that to see the midday sun in the north it is not necessary to visit the Cape, nor even to cross the equator. To see it there *always* one must indeed be south of the southern tropic ; to see it there *generally* one must be south of the equator. But merely to have seen it there proves no more than that the observer has been south of the tropic of Cancer. And so much had been accomplished, if by few or no Greeks in the time of Herodotus, yet by thousands of men belonging to races with which the Greeks had long been in contact.

The famous calculation by which Eratosthenes in the third century B.C. determined the approximate size of the earth was based upon a comparison of an Alexandrian dial with one at Syene, where an upright gnomon was reported to cast no noontide shadow at the summer solstice. To press such a fact into the service of science an Eratosthenes may well have been needed ; but the fact itself, that the midsummer sun was vertical at Syene, must surely have been notorious to the Egyptians for ages before the intrusion of the Greeks. Once it had been observed, as it must have been for many generations, that the short noontide shadows of Egypt became shorter and shorter as one went southwards, until in the neighbourhood of the First Cataract at midsummer they disappeared altogether, it would surely be within the reach of ingenuity to infer that if one went further south still the shadow would reappear, pointing now no longer to the north but to the

¹⁹ Rawlinson, *Herod.* iii. 33, note.

²⁰ Larchner, *Notes on Herodotus*, English version. The remarks of Cooley, Larchner's English editor, on the Phoenician expedition are very sensible.

²¹ Grote, *History*, part ii. chap. 18.

south. But in fact no ingenuity was required: the knowledge, and sometimes the dominion, of the Egyptians extended far to the south of Syene. Long before Herodotus was born it must have been known in Egypt that the summer shadows at Meroe fell to the south and not, as in Lower Egypt, to the north. Now the southern coast of Africa, wherever it might be, must certainly be further south than Meroe.

The mention of a northerly sun therefore, so far from furnishing a conclusive proof that the story in which it occurs is true, appears to have been really an embellishment ready to the hand of any romancer wishing to give the semblance of scientific truth to fiction. Or it may have been, and perhaps more probably was, inserted without conscious fraud, if we suppose that what one repeater of the story said might have been seen was by the next stated actually to have been seen. It is probably because the ancient critics, better instructed in astronomy than most of their successors, allowed no more weight to this passage than it deserves that belief in the Phoenician legend seems to have been confined in antiquity to Herodotus himself. And this general incredulity is the more noticeable because nearly all of the early geographers seem to have believed, with him, that Africa was encompassed by the ocean. Many of them indeed held that the equatorial region was too hot for man's existence, a theory, curiously long-lived, which could hardly have existed at all had Sofala really been known for long ages to civilised men; but it was probably not till the first century after Christ that any evidence existed to show that Africa reached even so far as the equator. It is remarkable that Posidonius (about 100 B.C.), who did not believe that the equatorial heat was insupportable,²² and did so thoroughly believe that Africa could be circumnavigated as to make a search for proofs that it had been circumnavigated already,²³ rejected the tale of the Phoenician expedition as lacking evidence. Posidonius certainly did not know, and almost certainly did not believe, that Africa's southern point lay beyond the tropic of Capricorn, so that any one sailing round it would of necessity see the noonday sun always in the north. But he did know that it lay far south of Cancer, and consequently that the sun might there at a certain season be seen in the north. Yet that the Phoenicians should have been represented as saying that they had seen it there does not seem to have struck him as remarkable, still less as conclusive.

May it be suggested that more than one enthusiast in a later age might have learnt a lesson from the example of this ancient philosopher, who, with a pet theory to be justified, had the self-control to reject a story which must have seemed ready made for its support? At least I cannot help thinking that the believers in an African Ophir,

²² Cleomedes, i. 6.

²³ Strabo, ii. p. 98.

if they should be convinced that the Phœnician legend tells, not for their theories, but actually against them, might be ready to subject the legend itself to a more searching criticism, which, as I have tried to show, it is little fitted to withstand.

I will conclude by recapitulating the main contentions advanced in this paper.

I. The story of the Phœnician voyage round Africa rests upon evidence which either is insufficient, as all ancient authorities seem to have thought,²⁴ or must be taken as justifying a belief in another circumnavigation which no modern authority upholds. The feat appears, when we consider the magnitude and novelty of the enterprise and the slender resources of ancient navigation, to be well-nigh impossible. It appeared possible to Herodotus because he did not realise its magnitude, and did believe that his Phœnicians obtained their supplies by a method which to modern writers seems so little credible that, even while professing to accept his story, they have generally rejected this essential part of it. The expedition did nothing to correct or prevent theories as to the shape and size of Africa, or as to the climate of equatorial regions, which it should once for all have rendered impossible. The one piece of evidence which is at first sight impressive, and has been pronounced conclusive, has really little or no weight. The common belief that a northerly sun could not have been invented has sometimes been encouraged by want of acquaintance with elementary astronomy and with ancient ideas thereof.

II. But if the story be accepted as true it tells strongly against the theory that Solomon and earlier Semitic princes brought gold from South Africa. For if we adopt the only version of it which has any authority at all, that of Herodotus, it shows plainly that all the knowledge of South Africa, its ports and its climates, which must have been possessed by the Phœnicians of Solomon's time had failed to descend to the Phœnicians of Necho's time. While if we consider ourselves at liberty to reject such parts of the story as tend to this conclusion—and the tale of the northerly sun, be it remembered, is one of those parts—we have to explain how so much of what must have been common knowledge in Necho's time had vanished utterly from the world by the time of Herodotus, and by the time apparently of Hanno, the Carthaginian.

III. While the acceptance of the Phœnician legend is almost fatal to the theory of a South African Ophir, its rejection can by no means strengthen the case in favour of that theory. The very existence of such a legend in a world to which the coast of equatorial Africa had been known for centuries would be in itself a mystery.

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²⁴ Of course no geographer who, like Polybius and Ptolemy, inclined to believe that southern Africa was joined to Asia can have put faith in the story of Herodotus.

The Angevin Administration of Normandy

IV.

THE quality and fabric of Angevin government in England and Normandy were of the same kind as in Anjou, and were invested with similar traditions. Henry II did not originate great measures of government, such as the inquest or the use of scutage instead of military service, but rather placed the forms and instruments of government in new and intimate relations with himself and his daily life. The supervision and direct control which were so natural in an administrative area like the county of Anjou became the rule also in a kingdom which presented all kinds of perplexing problems to the sovereign and in a duchy with distinct but ill-controlled national features. In Normandy the anarchy of Stephen's reign showed the value of strict organised government no less than in England. Duke Geoffrey seems to have carried on the work of Henry I on distinctly Angevin lines. Not only did he interfere, as Henry had done, to arbitrate by means of the inquest; it is probable that he issued *assises* or commands to compel the use of inquisitions whenever certain circumstances should arise.¹ In addition Geoffrey must be credited to some extent with the reorganisation and extension of the judicial assizes as they are found in the early years of Henry II. Special judges were appointed to hold these assizes, supported by the barons of the district; and from an early date the decisions of the court were subject to confirmation by the ducal court at Caen.² As time went

¹ The evidence of the Black Book of Bayeux upon this point has been subjected to criticism by Mr. Haskins in the *American Historical Review* (viii. 624-5). He shows that some of the documents must be attributed to Geoffrey.

² The suit of Bernard the scribe, given by Mr. Round from a Merton cartulary, shows that the court of the exchequer was fully established before 1180, and that a distinction was drawn between possessory and proprietary actions (*Engl. Hist. Rev.* xiv. 425-6). See also the 'Appendix ad Scaccarium Normanniae,' attached by M. Léchaudé d'Anisy to his edition of the Norman Rolls (*Mémoires de la Soc. des Antiquaires*, xv. 197). The assizes there named belong to 1157 or thereabouts. An assize at Bayeux was heard before Robert, bishop of Evreux, and R. de St. Valery. In an assize at Caen 'diffinitum est in plenaria curia regis *utpote in assisia* ubi erant barones quatuor comitatuum Baiocassini, Constantini, Oximini, Abrincatini.' The judgments under Philip Augustus show frequent cases of appeals from local assizes to the exchequer (e.g. *Jugements*, no. 79, a case of reversal of judgment; no. 107 Michaelmas 1212, where after a *recordatio* by twelve men and the bailiff of the oaths of a jury at an assize in Grantemesnil the judgment of the assize was maintained).

on the chief judicial power was formally exercised by the court of exchequer under the presidency of the seneschal. The seneschal also could hear and decide cases as the representative of the king throughout Normandy.³ In these cases he might give judgment with the great men of the land; but in the exchequer the duty of acting as baron was gradually confined to a limited and permanent body of clerks and officials, who might or might not be men of high degree.⁴ Before this court all kinds of disputes between barons or men and corporations of importance were brought; and agreements or settlements were ratified and strengthened by the witness of the royal justices and by entry upon the official rolls.⁵ Although the collections of judgments made at the exchequer do not comprise decisions or agreements of a date previous to the loss of Normandy they afford, together with the evidence of cartularies and the Norman rolls, abundant proof that the records of the exchequer were full and varied in Angevin days.⁶

This central court not only acted as a court of first instance, but considered appeals from the judgments of the local assizes. It was, in short, the centre of a well-organised judicial system at the death of Henry II; and, as the customal shows, its judgments had the validity of case law.⁷ It is impossible to trace the course of this judicial system except to a limited extent. But very early in Henry's reign its beginnings can be seen much more clearly than in England at the same time. Civil inquiry into land held in free alms and into the possession of advowsons is found in Normandy before the date of the constitutions of Clarendon. Many years before the assize of 1166 a charter of Matilda refers

³ The case between Engelger of Bohun and Ralph of Arden (7 April 1199) was settled before William FitzRalph, the seneschal at Vaudrenil, in the presence of some of the chief barons of Normandy (Stapleton, II. xxxv.) The news of Richard's wound at Chaluz reached them during the trial (*Hist. de Guillaume le Maréchal*, III. 158).

⁴ The names of the barons of the exchequer in 1198 and 1200, none of great dignity, are in *Rot. Norm.* p. 6.

⁵ The *Rotuli Normannie* contain many agreements of this kind, and the exchequer rolls frequently refer to the sums paid for enrolment.

⁶ M. Delisle has proved clearly the existence of exchequer rolls of this nature, and also of assize rolls under the Angevins (*Mémoire sur les recueils de jugements rendus par l'échiquier de Normandie* in the memoirs of the Académie des Inscriptions et Belles-Lettres, vol. xxiv. part II. pp. 352-67). The customal also refers to them (Tardif, *Coutumiers*, I. 24).

⁷ *Ibid.* I. 52 (cc. lvii, lxi). The writer had heard pleadings, in which the procedure of recognitions in the case of free alms was modified, and differed from what in *scripto generali dictum est*. Again, the bailiffs used to arrest the relations of an evildoer, but the seneschal 'dicit quod nemo debet in penam poni vel mitti, nisi solus malefactor vel participes malefactorum. Et hoc contingit de Odone le Manc et filiis suis, hominibus Rogeri de Sancto Andrea, versus forestarios Bertramni de Verduno, qui malefactorem unum non ceperant, sed plures de parentela.'

to the presentment of criminals.⁸ At the end of the century the system of justice is fully revealed, as advanced and precise as that which existed in England. In the old days, says the custumal, the counts, barons, and knights controlled the roads which ran through their lands, and exercised judgment upon them; but they had done evilly, and now the duke, whom it behoves to rule all his people, guards the road in peace as in war.⁹ Just as the duke seized and used the great Roman roads which cut across Normandy to Rouen or Caen, so he sent his messengers along them and bound the whole land in judicial chains. A body of clerks existed at the exchequer to send out writs. Justices of assize passed regularly from province to province. All the well-known inquests and recognitions were in use, and the distinction between a royal recognition and a jury was well marked.¹⁰ In their districts the viscounts had to prepare for the assize, to search out jurors, whose names and testimony would afterwards be preserved in the assize rolls. It was also one of the chief if not the most important function of the justices to supervise the conduct of the viscounts, and to see that they had done justice to the poor.¹¹ How stringent the local control of the viscounts was may be seen in the exchequer rolls, especially that for 1180, with their records of fines for the privilege of duel or jury, for the sale of wine above the proper price, and for technical branches of duty and contempt of court; and, on the other side, with their grim accounts of the chattels of fugitives and outlaws, or of men who still swung upon the gallows.

From the administrative point of view two facts present themselves. First, the growth of system has produced an official class of judges. All knights and barons were supposed to attend the assizes, but in John's day the justices, viscounts, and clerks are

⁸ Haskins, 'The Early Norman Jury' (*Amer. Hist. Rev.* viii. 635-40). See also the remarks in Miss Norgate's *England under the Angevin Kings*, ii. 192 sqq.

⁹ Tardif, i. 16, c. xv. It must be remembered that, as Tardif has shown, the oldest custumal, entitled *Statuta et consuetudines Normannie*, was put together in the last months of 1199 or early in 1200. It was probably composed by a clerk of the seneschal, William FitzRalf, and is an unimpeachable witness to Norman custom under the Angevin rulers (*ibid.* i. pp. lxx-lxxii, lxxxi).

¹⁰ *Ibid.* i. 24, 44-5. The chief recognitions occur in the *Jugements*, e.g. no. 392 (novel disseisin), 79 ('de feudo et vadis'), 170 (advowsons), 55, 129 (darrein presentment). In the last case, in 1213, a man 'noluit sustinere recordationem ad usus et consuetudines Normannie quis advocatus presentavit ultimum personam mortuum in illa ecclesia.' The disturbances after Henry I's death made the use of recognitions by dual authority inevitable; cf. inquiry into 'mala consuetudo que tempore guerre elevata fuerat' in the Avranchin (Caen, 1157; in Delisle's edition of Robert of Torigny, ii. 251). There is mention of a grand assize at Troarn in 1200 (*Mém. de la Soc. des Antig.* xv. 202) and of a writ of novel disseisin at Pont-Audemer (*Rot. Norm.* pp. 97-8).

¹¹ Tardif, i. 44. Cf. John's letters against the 'tolta et molestias' of the bailiffs (Argentan, 23 November 1201, *Rot. Pat.* 8).

the important persons.¹² Secondly, the judicial system of the duke has overshadowed nearly all private jurisdiction. The recognitions, of course, were only held by royal writ, but the use of the jury, though permitted to owners of private jurisdiction, was much circumscribed. And, as the jury became popular and was applied to many kinds of offence, the power of the ducal courts must have increased accordingly.¹³ The supremacy of the assizes was probably secured in 1182. In that year, says Robert of Torigny, the king kept Christmas at Caen, with the duke of Saxony and more than 1,000 knights. He held his court, and ordained that no baron should hold a court, but should come to his.¹⁴ If this startling pronouncement was more than a temporary command, it must be Robert's way of expressing the fact that the authority of the justices of assize superseded the baronial courts of the neighbourhood. As the custumal, shows this was the case in Normandy as well as in England. Except by special permission no baron could hold his court at the same time as the justices of assize.¹⁵ Similarly, of course, he was not allowed to have the pleas of the sword unless custom or charter authorised him to have them.¹⁶

¹² The grand assize mentioned above (note 10) was held by justices, viscounts, and clerks. There is evidence that the knights still attended, however, in 1205, besides the recognitors. In an assize at Sées in April 1205 a recognition of twelve men was held by the justices *et multis patrie militibus* (*Mém. de l'Acad. des Inscript.* t. xiv. pt. ii. p. 359).

¹³ *Licet quibuslibet hominibus, utroque parte concedente, iuream facere in curia sua de quibuslibet catallis, vel hereditate, et iuratores eligere assensu utriusque partis; et haec recognitio non vocabitur, sed iurea. Defalte, raptus, murdrum, combusta, robiria per pacem facta, fugitivi per quodcunque crimen, et hec per placita ensis non possunt nisi in curia Ducis* (Tardif, i. 44). It has been observed that the duel, which was about this time condemned by the ecclesiastical councils in favour of the jury, occurs less frequently in the exchequer rolls after 1180 (A. Canel, 'Le Combat Judiciaire en Normandie,' *Mém. de la Soc. des Antig.* xxii. 575, 616 sqq.)

¹⁴ Rob. Torigny, ii. 117 (ed. Delisle).

¹⁵ *Quamdiu assisia tenebitur in aliqua provincia, vel in aliquo vicecomitatu, non sit aliquis hominum ausus, nec debet placita tenere in curia sua* (i. 37). Compare the charter to William of Briouze in next note. Apparently justices of assize could legislate upon the procedure of baronial courts. Thus in an assize at Domfront before Arnulf of Lisieux and Robert of Neubourg, it was decided that all tenants-in-chief in Normandy were able, if they wished, *omnia sua bella, etiam de remotissimis terris suis, adducere ad suam capitalem mansionem* (Rob. Torigny, ii. 241).

¹⁶ For the pleas of the sword see Tardif, i. 43. In his charter for the archbishop of Rouen John grants the pleas of the sword and *omnem iusticiam placitorum. Ita tamen quod iustitia fiat per visum Capitalis Senescalli nostri Normannie, si praesens fuerit, vel proximi Baillivi, cum ad hoc per archiepiscopum vocatus fuerit, nichil ibi facientis nisi ut tantummodo videat fieri iusticiam* (Rob. Norm. p. 8). I am indebted to Mr. Charles Johnson, of the Public Record Office, for kindly verifying the original of this passage (Norman roll, no. 8, m. 1) and informing me that the unintelligible terminus of Hardy's printed text is a misreading for *tantummodo*. The method of justice is still better illustrated by a charter for William of Briouze of 1 John (*ibid.*) *Vicecomes vel serviens noster non intrabit in terra eiusdem Willelmi de honore de Braiosa ad aliquid officium Vicecomitis vel servientis faciendum, sed*

It is difficult to estimate the extent to which these regulations put on one side the earlier traditions of judicial administration. There is some evidence that the assizes were regarded as identical with earlier courts for the districts or provinces of Normandy.¹⁷ If these had existed throughout we must regard them as a continuation of the public courts of the Carolingian counts, which were afterwards controlled in each county or in a group of counties by the bishops and viscounts. In the eleventh century, as has been seen, the viscounts and great ecclesiastical personages had the control of justice, and were joined in the following century by royal justices under Henry I.¹⁸ We should expect to find most traces of this earlier and less systematic government in the courts of the bishops and counts. In the diocese of Sées the chief landowner was the count of Alençon, and one of the most persistent champions of spiritual rights was the chapter of Sées. In the second half of the twelfth century the castle of Alençon was, until the accession of John at least, in royal hands and the centre of a bailiwick. The towns of Sées and Alençon were tallaged by the king. The royal justices visited one or other of these towns, and held a court which was superior to those of bishop and count. In this province the count had lost any pre-eminence he might have had; his chief stronghold was occupied by royal officials. But it is significant that there is hardly a single reference to Sées, except to the tallage set there, upon the exchequer rolls.¹⁹ If the count had retained Alençon it is probable that, as in the counties of Eu and Evreux, the royal bailiffs would not have appeared there at all except to gather a few rents and summon pleas of the sword to the assizes. It is doubtful whether they would have controlled even the pleas in the demesne of the count. Again, in the bailiwick of the Lieuvin the proceeds of pleas and tallages were the chief sources of revenue, since in the city and *banlieu* of Lisieux the bishop had every judicial right except three pleas of the sword.²⁰

serviens eiusdem Willelmi summonebit placita ad nos pertinencia. Et quod Iusticiarii nostri itinerantes, quando ibunt in baillia de Falesia, debent venire apud Braiosam et ibidem tractare placita quae ad nos pertinent. Et tunc idem Willelmus inveniet eis necessaria rationabiliter una die apud Braiosam. The former part is useful, since it shows the similarity to English justice (cf. Maitland, *Select Pleas in Manorial Courts*, vol. i. p. xxv). M. Delisle has collected cases of judicial grants in the *Bibliothèque de l'Ecole des Chartes*, xiii. 108, note 8.

¹⁷ Cf. references to the *fora patrie* and *placitum iusticie patrie* in the custumal (Tardif, i. 32).

¹⁸ Above, vol. xxi. pp. 637, 646. See also Pollock and Maitland, *The History of English Law*, i. 72.

¹⁹ Stapleton, ii. lxxxiv. sqq. (1198). For the relation of the episcopal and civil courts compare the entry on the roll for 1180 (*Rot. Scacc.* p. 21): *De Gondruino de Fontibus x so. quia ixit in curia episcopi contra defensum iusti.*

²⁰ Cf. Stapleton, i. cxxi. For the privileges of the bishop and his dispute with Robert the viscount see Martène, *Thesaurus*, i. 761 (Rouen, 3 Sept. 1 John. Cf. *Rot. Chart.* p. 19).

No one was allowed to have hereditary official rights in the viscounty, while the pleas reserved by the duke were brought before the royal courts by the bishop's officers. In the Bessin also an old quarrel between the bishop and neighbouring barons had ended in a limitation of royal and official rights within the episcopal lands.²¹

From these and other cases, and from what is known of early and later theory of local government in Normandy, it may be inferred (1) that by the time of the Conqueror the judicial functions of the viscount were fully recognised and extended over the greater part of Normandy; ²² (2) that the extension of feudal ideas to the jurisdiction of bishop and count brought their courts and privileges into conflict with the claims of the viscounts, who would claim a monopoly of public justice, whether delegated by the duke or as transacted in the old public courts of the provinces. There is but little evidence that the rights of the duke were ever claimed fully within the territories of the counts who survived. There are no traces of royal assizes in Evreux or Eu; probably important pleas in which the counts were parties would be tried in the ducal court, or in the bailiwick concerned.²³ The episcopal courts did not escape so easily. Although the bishop was originally the colleague of the count in the public courts of the Franks, he was not able to maintain the same traditional prestige after the distinction between lay and ecclesiastical suits became marked. On the other hand he became a great feudal magnate. The disputes which arose were settled by a division of power, which left more or less control to the bishop within his own lands, but reserved all or the chief pleas of the sword to the duke. (3) The third stage was reached when it was found necessary to supervise the conduct of the viscounts themselves. Many of them were hereditary magnates. Hence, as in England, they were gradually superseded by their judicial colleagues. The justices of Henry I cannot have been local so much as national officers. The knights and barons who were appointed as justices to hold assizes under the Angevin rulers

²¹ *Livre Noir de Bayeux*, i. 23, no. xvi: a charter of Geoffrey or of the first years of Henry II, which speaks of certain claims which might be proved in *curia episcopi vel in mea*. It continues, *Volo etiam et precipio et prohibeo ne aliquis pro facienda iusticia nec pro alio, intrent (sic) in terram episcopi Baiocensis, nisi illi servientes qui ab antiquo ad hoc constituti sunt, et qui hoc faciebant tempore Henrici regis, nec isti etiam hoc faciant nisi sicut iustum fuerit.*

²² E.g. in Statutes of Lillebonne (Teulet, *Layettes*, i. 25). *Si quis autem episcopo suo inobediens fuerit, domino, in cuius terra habitat, episcopus hoc demonstrat, et ille eum subdat episcopali iusticie. Quod si et dominus facere contempserit, regis vicecomes, per episcopum requisitus, omni remota excusacione, faciat.* This refers to the truce of God.

²³ Cf., however, *Rot. Scacc.* p. 76. The priest of Amfreville paid xl. so. pro habenda recordatione in curia Com. Ebroic. de duello. The phrase *pro duello* in curia comitis Mellenti also occurs often.

were certainly national officers. The local bailiffs and viscounts summoned the pleas of the sword in all but privileged lands, like the city of Lisieux or the honour of Briouze.²⁴ They prepared the business and gathered together the jurors. They sat with the judges when they arrived. Pleadings in all other courts were silenced. Then the justices, surrounded by all the chief landholders of the province, heard the pleas, and attended to complaints against the local officers of the crown, the viscounts themselves included. Thus the public courts were absorbed in a common judicial system; or their practices lingered on in a mutilated form, as survivals, anomalies, or special privileges in the courts of a count or bishop or important vassal.

This brings us to the second characteristic of Angevin government—namely, the concentration of the administrative system under the seneschal.²⁵ In Normandy the barons of the exchequer and the seneschal were more intimately connected²⁶ than in the rest of Henry II's dominions. The seneschal was the president of the exchequer, held the ducal court, and to some extent could legislate about legal procedure. As John found to his cost during Richard's captivity, the seneschal was at the head of the state in the king's absence, and responsible to him alone.²⁷ His importance at a time of crisis may be seen in John's reign. It was his duty to go about from castle to castle, on a tour of inspection, to fix the number of the garrison and to order repairs.²⁸ In twelve months more than 7,300 li. Ang. passed through one seneschal's hands to be expended upon the fortification of royal castles and in wages.²⁹ The last baron to hold the office under John, William Crassus, was put in charge of several strongholds at once, and was left by the

²⁴ See above, pp. 18, 19, notes 16 and 20.

²⁵ See above, vol. xxi. p. 649. For the Norman seneschal compare M. Delisle's remarks in the *Bibliothèque* (x. 267). During the reign of Henry II the title *senescallus* displaced those of *dapifer* and *iustitiarius* in official documents. It would be interesting to inquire how far if at all Angevin influence modified the position of the English justiciar. Compare the conduct of Longchamp as chancellor and justiciar (*Hist. de Guill. le Maréchal*, iii. 127).

²⁶ In Anjou and Poitou the exchequer, although it existed in each province (*Rot. Norm.* p. 28), was not, apparently, so important as in Normandy. In England the control of the exchequer, though very great at one time in Henry's reign, was shared by other courts. Still the royal letters in John's reign are addressed to the justiciar and barons of the exchequer at Westminster in exactly the same style as those to the seneschal and barons of the exchequer at Caen.

²⁷ The seneschal met John upon his arrival in Normandy, and invited him 'ad colloquium apud Alenzun, ad tractandum de negotiis regis, et liberatione eius.' He and the barons refused to receive John as lord (*R. Howden*, iii. 204. Cf. seneschal's conduct, pp. 203, 254). In one of John's letters as king the sentence occurs, *manifestum est quod qui senescallum non obediunt mandatum domini contempnunt* (*Rot. Chart.* p. 102 b).

²⁸ *Rot. Norm.* pp. 120-1.

²⁹ Receipts of Guarin de Glapion, March 1201-March 1202 (*Rot. Scacc.* p. 501).

king as guardian of the duchy with a special grant of 500 li. per annum.³⁰

Under the seneschal, answerable to the exchequer and subject to the inspection of the justices, the viscounts and bailiffs ruled the districts of Normandy. The office of viscount underwent more than one change during the reign of Henry II. It is probable that Henry I was responsible for a change of officers, and very possibly for a rearrangement of their bailiwicks. By this time some of the older divisions had disappeared; the decrease of the royal demesne and the more complicated resources of the royal treasury made it necessary to define administrative areas more precisely, and not to entrust the collection of royal dues to any powerful baron.³¹ In Count Geoffrey's day the existence of bailiwicks controlled by officials with judicial powers, and immediately dependent upon the king, is taken for granted.³² But, as Brunner observed, the official character of the viscount becomes most marked in the reign of Henry II.³³ The process was not quite simple. There is, for example, a significant gap in his history during the earlier part of the reign. Thus in the diocese of Bayeux the viscount became and remained a feudal landowner; and, in charters and documents addressed generally, there is but rare mention of the viscounts until the end of the century. As an official title it almost disappeared. Where Richard said *vicecomitibus et baillivis*, or *vicecomitibus et ministris*, Henry had usually said *ministris*.³⁴ Now in the earliest exchequer roll which is extant, and also in the custumal, the division of Normandy into viscounties and bailiwicks is well established.³⁵

³⁰ *Rot. Norm.* p. 118.

³¹ The variety of early divisions is analysed in the *Bibliothèque*, x. 259, note. Compare M. Vaultier's remarks on the disappearance of the *vicaria Cingalensis Mém.* (x. 5). In 1113 Robert of Belesme was viscount and rendered accounts (*Ord. Vit.* iv. 305, ed. Le Prévost).

³² *Amer. Hist. Rev.* viii. 625; Stapleton, i. xxxiv. notes.

³³ *Die Entstehung der Schwurgerichte*, pp. 156-7.

³⁴ The charters in the Black Book of Bayeux, which are addressed to officers, &c., throughout Normandy, establish the following conclusions: (1) *Vicecomes* was not a general term until the end of the century, when it was used, in a slightly more technical sense, to describe the bailiffs. It only appears in one early charter in the Black Book, and then the unusual *comes* is included also (i. 167, *episcopis, comitibus, baronibus, iusticiariis, vicecomitibus, et omnibus fidelibus*). (2) Richard I uses it with *baillivis* or *ministris* (e.g. ii. 88), while Henry generally uses *ministris*. (3) *Ministri* was the technical and comprehensive term, and equivalent to the less usual *baillivi*, since the two terms are never found together, except in a special salutation to the officers of the Bessin, where, of course, the viscount existed in addition by hereditary right (i. 42). These subordinates had been styled viscounts occasionally (Stapleton, i. xxxiv. notes).

³⁵ It is the usual division in the roll of 1180. The assizes were held 'semel vel bis per annum in unoquoque vicecomitatu' (Tardif, *Coutumiers*, i. 44). This rule was not always observed, since the use of larger areas than the viscounties was anticipated in the reign of John. Compare the phrase in *Rot. Chart.* 59 b, *quamdiu fuerit iusticiarius itinerans in ballia de Costent. et Baioc.*

Although, as Brunner and others have noted, the terms viscounty and bailiwick, or viscount and bailiff, are interchangeable, it is the former word which has the official meaning. Bailiwick and bailiff are general terms. A bailiff may obey a viscount, but a viscount, unless the term is used in a special and limited sense, as of the eight viscounts of Dieppe, is never subordinate to a bailiff.³⁶

We can hardly suggest definite reasons for this reappearance of viscount in official usage, except upon the hypothesis that Henry reorganised the relations between the exchequer and local officers, as he did about the same time (1170-80) in England. The change from feudal to bureaucratic officialism across the Channel would doubtless revive and give a fresh significance to the word which the Normans had used to translate the Saxon term 'sheriff.' This suggestion gains support from the fact that the exchequer was reorganised by Richard of Ilchester between 1176 and 1178.³⁷ The English administrator seems to have dealt with Norman finances in great detail and with much thoroughness. The war between Henry and his sons had upset the whole state. Castles and lands had fallen into the king's hands and been redistributed. Rights, new and old, had to be paid for heavily.³⁸ After peace was restored the opportunity was taken to revise the farms of the bailiffs and to make extensive inquiries, by means of local juries, into the lapsed rights of the crown.³⁹ The new funds were distributed according to a fixed scheme, and the surplus went into the royal treasury. The roll for the year 1176 became the standard of reference for future bailiffs and barons of the exchequer to

³⁶ The relative place of the viscounts between justices and *ministri* is seen in the later charters (e.g. to Roland d'Oissel, about 1189. *Layettes*, i. 160). In 1180 the Marshal addressed the young king in the presence of 'counts, barons, viscounts, castellans, vavassors' (*Hist. de Guill. le Marechal*, iii. 70). For the general meaning of *ballia* compare the phrases *ballia forestae* (*Rot. Chart.* 52 b), *ballia vicecomitatus* (R. Howden, iii. 134), *castellum cum ballia* (*Rot. Chart.* 101 b), and a letter, in which John refers to the district under the control of Lupescar the mercenary as his *ballia* (*Rot. Pat.* 32 b). The word also seems to be used of property belonging to the Templars given in custody to one of the brethren (*Rot. Pat.* 34). Cases of under-bailiffs, subordinate to the viscount or the royal bailiff proper, are frequent (compare a letter in favour of Peter Stokes, new bailiff of La Londe, *Rot. Norm.* p. 58).

³⁷ R. Diceto, i. 415. He was appointed before the Michaelmas sitting of 1176 (*Bened. Peterb.* i. 124). He was very active as seneschal till March 1178. See Delisle in *Mémoires*, xvi. part 1, p. xxvi; Miss Norgate, *England under the Angevin Kings*, ii. 194. In the light of these facts the remark of Benedict of Peterborough (i. 198, a. 1177) gains point, that Henry *iustitias suas et rectores, de quorum fidelitate et prudentia confidebat, in Normannia et in caeteris terris suis transmarinis constituit*.

³⁸ 'Witt. de Aurichier debet ecc li. pro habenda terra fratris sui in tempore guerre' (*Rot. Scacc.* p. 65).

³⁹ References to *terrae recuperatae per iuream* are common in the roll of 1190, as also are allusions to the old and new farm. The most striking entries in this respect are those for the old and new farm of Dieppe (*Rot. Scacc.* pp. 66-8).

justify items of expenditure.⁴⁰ It is impossible to suppose that these measures were taken without affecting the duties and status of the royal officials.

It is easier to define the principle upon which Normandy was governed at the end of the twelfth century. The systematic erection of royal castles had been proceeding since the days of Henry I, until the castle became the centre not merely of power but of government. Just as the seneschal was castellan of the royal fortress at Caen,⁴¹ and exercised a general supervision over the Norman defences, so the offices of viscount and castellan tended to become identified. Like the count of old, the viscount ruled over an administrative rather than a natural area. The city, or town, or castle, was the unit of government in Normandy, as the shire was in England.⁴² From it the revenue of the surrounding country was collected, in it justice was administered. As a rule the surrounding district was called a viscounty, and afterwards, in the last quarter of the century, a bailiwick. There were exceptional cases, like the bailiwick of Caux, or the Lieuvin, which were connected with no prominent castle,⁴³ or the viscounties into which the extensive demesne of the Cotentin was divided.⁴⁴ But upon the whole it is true to say that Normandy was divided into bailiwicks which had their base in a royal castle. It is not surprising to learn that these bailiwicks or viscounties varied considerably in size.⁴⁵ In these areas the civil and judicial authority was entrusted to one or more bailiffs. If, according to the usual custom, there was only one chief official, he was frequently charged with the care of the castle upon which the bailiwick depended.⁴⁶ If this

⁴⁰ Geoffrey Trossebot 'habet in munitione Castri de Bonnavilla blada, vina, et bacones, et caseos et moretum, sicut continetur in Rotulo anni mclxxvi.' (p. 69.) The entry is repeated in 1198 (p. 370). It is significant also that the accounts of Dieppe are settled in 1180 for the past five years, i.e. to 1176 (p. 66).

⁴¹ Stapleton, i. xxxii.

⁴² Cf. John's charter to the Templars (31 August 1199, *Rot. Chart.* 13 b), *de unoquoque vicacomitatu Anglie, qui annuatim nobis reddit C. li. vel plures, . . . et de unaquoque civitate et castello et villa aliarum terrarum nostrarum, videlicet Normannie, Cenomannie, Andegavie, Pictavie, et Gasconie, qui annuatim nobis C. li. vel plures reddit.* Compare the heading of the list in *Cart. Norm.* no. 209: *civitates et castra que Rex habet in dominio.* The difference in England must not be exaggerated, as the story of Gerard de Camville shows (Miss Norgate, *John Lackland*, p. 31).

⁴³ *Rot. Scacc.* p. 482 *sqq.* The baillia of Caux succeeded the grand viscounty.

⁴⁴ These were of early origin, since in 1180 William of Saint Jean had been viscount of Coutances for twenty years (*Rot. Scacc.* p. 12). See also Delisle's memoir upon the bailiffs of the Cotentin (*Mém.* xix. 65).

⁴⁵ The jury for assessment of chattels was from five to twenty knights, *iuxta magnitudinem baillie* (Tardif, i. 45, ch. lvi.)

⁴⁶ In the roll of 1180 Osbert de Hosa, the bailiff, appears as castellan of Cherbourg and Valognes (*Rot. Scacc.* p. 30); Richard Giffard as bailiff and castellan of Falaise (p. 50); Gilbert Pipart, viscount and castellan of the castles of Exmes (pp. 500, 103); Martin de Hosa as bailiff of the Vexin and castellan of Gisors

was not the case a special salaried castellan was appointed by the king and provided for out of local funds. The ability or fidelity of the bailiff would decide whether he could be entrusted with the castle or not. If he was a great baron, or a tried and able official, he might be the petty autocrat of a district. On the other hand some special military necessity might cause his double authority to be divided ; or yet again the king might, and occasionally did, prefer to supersede the local officers in a time of crisis, and place one of his intimate servants in charge both of castle and of bailiwick.⁴⁷ There was no fixed rule, but the implicit principle seems to have existed that local authority was exercised from the castle, and might be concentrated in a powerful viscount or bailiff, or else distributed among bailiffs and a castellan, as circumstances might require.

Evidently the whole of Normandy was supposed to be divided into these areas, with the exception of privileged districts like the city of Lisieux or the Evrecin. It is equally certain that the bailiffs or viscounts were not regarded primarily as financial officers or as farmers of the royal domain. They were judicial officers, and collected casual fines and amercements ; were responsible for special levies of tallage and aids ; summoned the pleas of the sword for the whole bailiwick and accounted for the proceeds after the assizes ; took charge of escheats and forests, if no special arrangements were made. In addition to this they were responsible for certain customary dues for which they paid a farm, and for corn rents or bernage. The financial result of all these activities was not very large, and was by no means sufficient to meet the charges of the local establishment and leave a surplus in the exchequer.⁴⁸ From the financial point of view the importance of the district was in the castle and town, with the domain which pertained to it. The bailiff might be the judge and warrior ; but, as a financial official, he was regarded, with all his accounts, as a mere appendage,

(pp. 70, 72) ; Robert of Stuteville, bailiff and castellan of Lions-le-Forêt (p. 73) ; Saher de Quinci as castellan of Nonancourt and accountant of fines (p. 76). There is one instance of a *prepositus* acting as castellan in Moulins and Bonmoulins (p. 105).

⁴⁷ 28 December 1202 the bailiffs of William the Marshal were informed that the castle of Arques had been entrusted to William of Mortemer and William Martell. The former was bailiff of Caux, the latter was appointed bailiff of Arques (*Rot. Pat.* 22 a). In June 1202 Peter Stokes was made bailiff of La Londe, otherwise of the viscounty *inter Rislam et Secanam*, and castellan of Moulineaux (*Rot. Norm.* p. 53). He was bailiff for a year (*Rot. Scacc.* p. 565).

⁴⁸ This is proved generally by the small amount of the farms for the viscounties as compared with that for the domain. The fact is also shown by the inquest made by Philip Augustus into the value of the rents of Falaise and Domfront *tempore quo rex Ricardus ivit ultra mare*. The jurors gave the value of the *praepositura*, *sine placito ensis et eschaetis et vicecomitatu et branagio* (Falaise) ; or *sine placito ensis et forestis et eschaetis et molendinis* (Domfront) ; *Cart. Norm.* no. 111 ; Stapleton, II. lx.-lxi. The bailiffs accounted for the exceptions. See also Delisle in *Bibliothèque*, x. 264.

or rather exception to the financial unity of the royal domain. This unity was called the *praepositura* and was farmed very heavily. It was given in charge to inferior but not exactly subordinate officials, who appear as *praepositi*. It was their duty to pay the salary of the castellan, whether he was the bailiff or not, and it was from his accounts that the castle was kept in repair or the royal lodgings maintained.⁴⁹

As the military and civil centres of Norman life the castles were the scene of a varied and bustling life. Their place in the military system requires special consideration, which must be postponed. But, apart from this, the castle was, together with the little community about it, of supreme importance. Special dues and revenues were lavished upon them from all parts of Normandy.⁵⁰ To surrender a castle was to incur the gravest suspicion, sometimes the heaviest of penalties, and was, in one case which has been recorded, followed by bitter remorse.⁵¹ The aim of warfare was the capture of castles and the control of the capital stock and income which they represented.⁵² On the other hand they depended for their support upon the country-side. To secure the castle without its source of revenue was attended with inconveniences that outweighed the advantages. After his interview with the legate in 1199 King Richard entered into his chamber, choking with rage, like a wounded boar, and shut the door. No man dared approach him until, we are told, the Marshal called to him to open and gave his advice. He said, 'You have more cause for laughter than anger, for you have gained all. The king of France wants peace. Leave him the castles until the next passage to the Holy Land, but keep the land which belongs to us. When he finds that he can get nothing from the land, and has to keep up the castles at his own cost, it will seem a heavier burden than

⁴⁹ The exchequer rolls show that a *praepositura* was often worth several hundred pounds. It should be noted that the bailiff and *praepositus* were often the same person. This was the case at Alençon in 1180, when, however, Fulk Baynell was castellan (*Rot. Scacc.* p. 18), while in 1198 Ralph Labbe was bailiff, *praepositus*, and castellan, though apparently without a salary (p. 386). He was also baron of the exchequer in the same year (*Rot. Norm.* p. 6).

⁵⁰ Compare the order to Robert FitzWalter on 23 February 1203, '*totam tensesiam nostram et malam toltam ponatis ad operacionem castri nostri de Valledol*' (*Rot. Norm.* p. 80). The *praepositura* of Falaise supported Falaise, Pommeraye, and in part Exmes (*Rot. Scacc.* p. 50). The castles of the Vexin had a financial base in Rouen (p. 70).

⁵¹ See *ante*, vol. xxi. p. 296. When Roger Torel defended La Ferté-Bernard until the castle was taken by storm he was considered to have acted with great distinction (*Hist. de Guill. le Mar.* iii. 102). In 1196 Nicholas of Orphin betrayed Nonancourt to King Richard; in remorse he afterwards assumed the habit of a Templar and went to Syria (W. Breton, *Philipp.* v. 117-8, ed. Delaborde, ii. 129).

⁵² The four castles of Loches, Chatillon-sur-Indre, Drincourt, and Arques were regarded as suitable sureties for 20,000 marks of pure gold Troyes (Rog. Howden, iii. 219). Note W. Breton's phrase about the recapture of Nonancourt by Philip, *in fisci castellum iura reducit* (v. 119).

a war. That is what will happen: I wager they will come back to-morrow.' The advice was followed. After peace had been made the king bade William le Queu and his mercenaries to harry the garrisons of the castles and prevent them from taking anything outside. They did their task so well that the French dared not take even water from the well outside Baudemont. But William received the ordinary dues outside Gisors, without heeding the garrison.⁵³

Few things, indeed, are more impressive than the way in which the body of social relations grew during the latter part of the twelfth century. A network of financial and tenurial ties, which embraced the hermits of the forest⁵⁴ no less than the mayor of Rouen or the earl of Chester, overspread the whole duchy. The activities of merchants and the bustle of fairs and markets had their place in the scheme. Monasteries were supported by the tithes of distant bailiwicks and kept their fishermen in the distant shallows of the Cotentin. A hundred points of law and custom depended upon the existence of a great keep, whose military origin had been overshadowed, though never forgotten, in a round of new functions and duties. Its chapel was served by a little church or religious house beneath the cliff. Its maintenance was largely due to the labours and bargains of men who had built up the little town under its protection. The royal revenues supported hospitals and lazaret-houses outside the gates or in some desolate spot. In the castle hall the bailiff did justice over the country-side for miles around, and protected the king's Jews, who were allowed to transact their useful but dangerous business with a safety that they could buy nowhere else.⁵⁵ All kinds of men, each with his peculiar writ, or safe-conduct, or errand, met in the streets of the town, and jostled each other in the great gate—justices, recognitors, claimants, knights with the king's prisoners, servants with treasure, falconers and dog-keepers with their precious charges, men with wine, fish, building-stone, or bundles of shafts and pikes, merchants, pilgrims, monks on the business of their houses, wine-sellers, peasants. Here and there the gaunt keep remains, the only witness to this forgotten life. It stands beside a stately round tower, or above a long buttressed wall, the relics of a later and alien English rule. Elsewhere it is lost in the streets of a busy city, or keeps guard beside a Renaissance palace, or waits

⁵³ *Hist. de Guill. le Maréchal*, iii. 156-7.

⁵⁴ About 1195 Robert, earl of Leicester, granted the monks of Lire *advocationem omnium hermitagiorum* in the forest of Breteuil (*Layettes*, i. 181, no. 429).

⁵⁵ '*Et Iudei non intrabunt in placita nisi coram nobis vel coram illis qui turres nostras custodierint in quorum balliis Iudei manserint*' (*Rot. Chart.* p. 98). Jews' money was useful to the castellan (e.g. at Domfront, *Rot. Norm.* p. 79). The way in which they were distributed about the royal castles may be seen from the *Cartulaire Normand*, nos. 207, 208.

aloof in a deserted place. Everywhere it seems to grip the rock, to spring naturally from the hill-side, with a tenacity and permanence all its own. It bears the memory of dreadful pain and fierce joy, of thousands of forgotten lives, dull, stupid, vicious, eager, perhaps even holy. It shares the secrets of strenuous and creative minds, whose labours are unknown, or recorded in some unopened roll with a casual and quiet brevity.

The last point upon which stress was laid in the account of traditional Angevin administration was the disregard of social distinctions. This also is well marked in Norman government. The rapid elaboration of official business and routine meant the growth of an official class, which Peter of Blois compares, in a well-known passage, to an army of locusts.⁵⁶ Episcopal constitutions were necessary to check the ambition to which the needs of the exchequer and the local bailiffs gave rise among the clerks.⁵⁷ As time went on, and royal administration came in touch with all kinds of municipal and financial activity, burgesses and money-changers, like Geoffrey of Val-Richer, were involved in the official service of the king. But, upon the whole, it would be dangerous to distinguish between the feudal and official classes. It would be nearer the truth to observe how the royal service shared, and, to a limited degree, assisted in the changes in feudal society. Just as some were able to take their place among the highest ranks by means of their prowess in the tournament, so others grew old and respected in the royal service, maintaining in that way the traditions of their families. Among the knights who followed the young king Henry in his chivalrous adventures were several who, then or afterwards, held office as bailiff and castellan under his father and brothers.⁵⁸ The close connexion between military and civil duties made it impossible that a class of bureaucrats could be formed with no regard for the traditions of feudal administration. Moreover the duchy inherited a national spirit which made its governance a matter of common interest, in spite of all the ruthless and systematic autocracy of Henry II. Henry, in fact, must have done much to keep the spirit alive. The unanimity with which the seneschal was followed in his resistance to John during Richard's captivity, as well as the motives which led the Normans and English to prefer John to Arthur, show that national loyalty

⁵⁶ *Epistolae*, ed. Giles, i. 297-8.

⁵⁷ *Prohibemus etiam ne aliquis sacerdos vicecomitis vel saecularis praepositatus officium assumat. . . . Statuimus ne monachi et clerici vel laici ecclesias vel villas ad firmam teneant.* (Decision of council at Rouen under Walter of Coutances. Migne, *Patr. Lat.* ccvii. 1180).

⁵⁸ *Hist. de Guill. le Maréchal*, iii. 58-61, with Meyer's notes. It must be remembered that justices were chosen from the knights and barons, and recognitors had to be lawful knights and vassors.

and feeling were still strong.⁵⁹ Hence it is natural to find that the greatest families of the land, like those of Le Hommet and Estouteville and Préaux, were trained to and enriched by an official life. William of Mortemer, who fought for John in the last year of the king, was a distinguished warrior as well as a tried ruler.⁶⁰ Old bailiffs, on the other hand, such as Henry of Pont-Audemer and Ralph Labbe, or younger men, like John's favourite, Peter Stokes, were placed in positions which required strength and abilities of a high order, and gave them a prestige lacking in their blood.

Yet, in spite of all these qualifications, a change was taking place in the official ranks during the reigns of Richard and John. In the later years of King Henry the distinction between official and chivalrous merit was realised. When it was proposed to decide the quarrel between the French and English kings by a combat of four a side Philip mocked his rival, and suggested that the French champions, four most distinguished barons and warriors, should be opposed by William FitzRalph, William of La Mare, Richard of Villequier, and Richard of Argences. The proposal was regarded as an insult, although all these men were well-known servants of the king. We are told that William FitzRalph was even then an old man, or rather too old to fight, although he was seneschal until his death in 1200. William of La Mare was ill, Richard of Villequier gouty, Richard of Argences the victim of a quartan fever.⁶¹ We may join King Henry in his disgust at the French humour of his day, but the episode is extremely suggestive. These men were not unknown, nor old, with the exception of the seneschal, nor incompetent. Richard of Villequier was relied upon by King John to the very last, and after honourable service accepted the rule of King Philip.⁶² Evidently they represented a type of official who, while placed in positions of high trust, was not a warrior, nor especially distinguished; not bound up with the for-

⁵⁹ See above, p. 21, and below, pp. 31 f. The idea of the state was realised more in England, especially during the negotiations with Louis of France in 1215. But it was borne in upon men's minds earlier by the event of Richard's captivity. Ralph de Diceto has some very strong remarks upon an agreement *ad statum regis intervertendum*, vitiated from the outset, so far as it was *contra leges, contra canones, contra bonos mores* (ii. 118). Cf. also Henry I's letter to the pope (in Stubbs, *Const. Hist.* iii. 300). For the later theories on the matter see Gierke (*Political Theories of the Middle Ages*, transl. by Maitland, pp. 44, 150-1).

⁶⁰ His brave defence of Verneuil in 1194 is referred to in the *Hist. de Guill. le Maréchal*, iii. 138. See Meyer's note for his career.

⁶¹ *Ibid.* iii. 88, 90.

⁶² Richard of Villequier occurs frequently in financial and other business during John's reign. In 1208 John left him in charge of Pont-Audemer, and gave him the offices of escheator and warden of the Jews, except the Jews of Caen and Rouen (30 November, *Rot. Norm.* p. 116; *Rot. Pat.* p. 37). He was one of those who defended Rouen against Philip (*Layettes*, i. 250, no. 716). Richard of Argences joined Philip early in John's reign (*Catalogue des Actes*, no. 740. Cf. Stapleton, ii. cxc.; *Cart. Norm.* no. 121).

tunes of the king, but rather with a system of government. Such men seem to have become more numerous and also more important before 1204.⁶³

This fact must explain, to some extent, the ease with which Philip was able to carry on the government of Normandy. It illustrates also another fact of which there is independent evidence. John found much difficulty in getting trustworthy servants and administrators outside the circle of permanent officials. In 1202 the pope wrote a most interesting letter to the bishop of Ely and the abbot of St. Edmunds in answer to a report which they had made about the vows of certain knights and barons who had taken the cross. These were Geoffrey Fitz-Peter, H. Bardolf, William of Estouteville, William Brewer, Robert of Berkeley, and Alan and Thomas Basset. The king had urged for an absolution from their vows. They were, he said, so essential for the defence of the kingdom and the administration of justice that he could not be deprived of their services without serious loss.⁶⁴ Moreover some of them were too old and infirm to undertake such a journey. FitzPeter, Bardolf, and Brewer, it appeared, were quite prepared to go, at some future time, and asserted that there were many others capable of transacting official business as prudently and properly as they were. The Bassets were eager to go, but positively could not afford it. The remaining two had already got a dispensation from the archbishop of Canterbury by what seem to have been rather suspicious means. But all with one accord agreed that they ought not to leave the kingdom in such a tempestuous time of war. We know that FitzPeter was justiciar of England, and that Brewer and the Bassets were among the little band of earls and barons who followed John during the last month in Normandy. The glamour of Richard's career, and the exciting events of his reign, turned men's minds from government, while the arbitrary intrusions of John made them afraid of it. Fear of treachery, and the crisis of war, made the king still more dependent upon a few faithful or unscrupulous servants. The members of

⁶³ William Poignart is an example. Under Richard he was in charge of the viscounty of Caen, and had a most important place among the accountants of the Bessin (Stapleton, *ii*. Index). Under John he held the same office (*Rot. Norm.* p. 53). Some time after, 1 April 1203 (*ibid.* p. 85) he deserted John, or at any rate was under suspicion. He bought himself back to favour, just before John's departure, for 2,000 li. Ang. (4 December, *Pat.* p. 37). On the roll of 1203 only seven important bailiffs occur. Richard of Fontenay accounted for the bailiwicks of Coutances, Vire, and Mortain. He entered Philip's service, and appears often at the exchequer later (*Actes*, no. 907; *Jugements*, nos. 166, 244, 352). William of Mortemer, bailiff of La Londe, was with Philip in 1205 (*Actes*, no. 961).

⁶⁴ *Patrologia Latina*, ccxiv. 1088. At the beginning of his reign John is said to have promised to send 100 knights to serve in the Holy Land for a year (p. 972). The refusal of the count of Eu to fulfil his crusading vow was met by an excommunication. It was regarded by the pope as a kind of spiritual leprosy (see Innocent's letter in vol. ccxv. p. 184).

his personal train were limited or fell away. It is noteworthy that the old system of bailiwicks began to break down. As the Norman rolls show, the castles were given in charge separately and often with rapid changes; while the spheres of jurisdiction, especially in the Cotentin, grew larger and less definite. The term viscounty is displaced almost entirely in the rolls by the more general bailiwick. The resources of John's demesne, the administration of justice, the custody of his castles were entrusted to a few men who do not seem to have worked with much co-operation and generally preferred to seek new employment under King Philip.⁶⁵

Henry II had based his empire upon a common administration. He had informed royalty with Angevin strength. As will be seen, the elements of feudalism had been discriminated and controlled. Richard had been content to leave the government as he found it, but was able to gain the confidence of the baronage. John did not avail himself of his father's work, and was incapable of arousing affection. Not unnaturally he did not see the responsibility which was involved in the confusion of feudal and national ideas of kingship. The charter which gave a validity not otherwise possessed by the most binding contract,⁶⁶ the writ which sanctioned a new form of procedure, the office which brought with it the management of a province, the revenue of fines, tallages, aids, were at his disposal as freely as a bit of his domain. The authority of a feudal landlord and the *potentia* of the king were invested in the same person.⁶⁷ Henry had governed all his actions with the tact of an administrator; his errors had been the errors of a selfish and competent statesman. But John employed a system which might have made him the wealthiest and justest no less than the most absolute of rulers for the disposal of favours and the extortion of money.⁶⁸ It has often been supposed that the loss of Normandy was due to some defect of title or lack of organisation. This was not the case. The essential thing was personal control, which was not merely complementary to but bound up with the very nature of Norman rule. The duchy had a conscious relation to the duke and did not blindly obey him. With him it was a state. Hence John had been chosen because the ordinary feudal rules of succession did not seem to the barons

⁶⁵ Cf. above, note 63.

⁶⁶ See remarks of Beaumont-Beaupré (*Coutumes de l'Anjou et du Maine*, part ii. vol. i. p. 19). The value of the royal confirmation may be seen later from judgments upon cases referring to the twelfth century (*Jugements*, no. 88). On the other hand the royal charter could be disregarded if other details were suspicious and did not harmonise (no. 74).

⁶⁷ The *potentia* of the duke is referred to in the custumal. For this vague theory of *dominium* see Pollock and Maitland's *History of English Law* (i. 518).

⁶⁸ Cf. Maitland, *Pleas of the Crown for the County of Gloucester*, p. xxii. In 1203 William of Préaux got a bailiwick, though at double the farm, in payment of royal debts (*Rot. Norm.* pp. 89, 116).

to be relevant.⁶⁹ There is no sign that the Normans ever thought seriously of Arthur's claims any more than Philip did. Outside Brittany and Anjou and Poitou, which had an affinity for each other, from a hatred of the Normans or by reason of common action in the past,⁷⁰ Arthur was a subject of ridicule, the king of kitchen and larder.⁷¹ But John did not heed the appeal which his father's work made. He had that peculiar kind of irreverence which the Scriptures ascribe to the fool, and seems to have felt a hideous joy in exerting his comprehensive powers in grotesque ways.⁷² At last his violent fits of energy ceased to inspire his followers, and after a time the stately organs of government ceased to move.

In one of his writings Peter of Blois gives a dialogue between King Henry II and the abbot of Bonneval, which shows the contrast between the father and son. At every turn the ferocious and imperative temper of the great king was met by difficulties and disobedience. The abbot rebuked him for his evil training, telling him that his enemies were sent from God. 'If that is so,' retorts Henry, 'why may I not curse them and be angry? Lambs and doves fight each other; and am I not to be angry when anger is a natural quality and habit of the soul? God is not angry, maybe, but God can punish his enemies. Would that I could give mine what they deserve and have the chance to pity them. But their malice is ever against me and I must be wroth. Else I should be the most insensible and craven-hearted of men.' The abbot suggested prayer as a means to the grace of humility. 'Prayer forsooth! Cannot you see how full of cares and labour I am? So unbearable are they that I can scarcely find time for the Pater-noster in the mass. I have not one hour's breathing space night or day.' 'That,' said the abbot, 'is your own fault. You should not involve yourself in these endless commotions. A thousand

⁶⁹ See *Hist. de Guill. le Maréchal*, iii. 160, with Meyer's note. According to the custom the son ought to succeed before the sons of his elder brother, *sicut contingit de Iohanne rege Angliæ, et de multis aliis; et hoc est falsissimum iudicium*. Tardif regards this as a later gloss (*Coutumiers*, i. 13).

⁷⁰ In the third crusade Angevins, Mancoaux, Poitevins, and Bretons marched together, according to Ambroise (*L'Estoire de la Guerre Sainte*, ed. G. Paris). At a tournament in 1174 they fought together against French, Normans, and English (*Hist. de G. le Maréchal*, iii. 20). Flach has worked out the traditional union of Maine and Anjou against Normandy (*Les Origines de l'ancienne France*, iii. 555).

⁷¹ For the relations of Arthur and Normandy see his agreement with Philip in July 1202 at Gournai, where he gives up any claim (*Layettes*, i. 286, no. 647). The Breton story was analysed by M. Bémont in his well-known thesis (*Revue Historique*, xxxii. 291-4). On the last page of a manuscript containing the Latin poems of Hilary, a disciple of Abelard, there is a vulgar satire upon Arthur in the form of a charter, addressed by 'Arturus, rex Britannorum, universis per Britanniam constitutis caseum biturumque professis' (Champollion-Figeac, *Lettres des Rois, Reines et autres personnages*, i. 21, 1839).

⁷² Delisle has collected some instances in the *Bibliothèque*, xiii. 112.

fellows follow you about constantly. You have heard their pleas, and yet defer everything that you might get rid of with a little thought.' 'They follow me because they know their cause is unjust, and they wish to prevail upon me by their importunity.' 'No. You like it. It is your nature. Every one knows how urgent you are in your own affairs. But you are slow in the affairs of others. Remember the Scripture, *O vos qui placetis vobis in turbis*' (Sap. vi. 2). The king was somewhat sobered by this. 'It is, indeed, a terrible saying. Would that I could be quiet. But always they pester me, even in the mass, lay and clergy, regulars and seculars alike. While they bow as though in humblest adoration of the sacrifice they still persist with their petitions.'⁷³

Between the lines of this formal academic composition we can see the king at his work, his rough justice, his pride in his strength, his love of abject obedience battling with his scorn of mean and self-seeking adulation, above all the constant superiority to and command of his position even in the midst of irritating cares. His impetuous energy found vent everywhere in enduring forms. But Henry was always above the law. He stands with the Conqueror and Henry VIII among the English kings as a ruler who had no organised or national opposition to face and beat down every obstacle in his ruthless and stormy course.

V.

It is time to say something about the fortunes of the Norman baronage, which suffered severely during Henry's reign. Norman society was feudalised early. The peasants vainly resisted the exercise of feudal claims over wood and water. The administrative relations expressed by the first division of territory were everywhere translated into terms of feudal ownership. Although the host had been in the main a solid body of freemen, the rapidity of the change shows that the nature of Norman society was essentially hierarchical.⁷⁴ The idea of an army implies grades of command. The explicit testimony that Rollo divided the conquered lands, as we know the Danes divided Northumbria, forces us to the conclusion that the arrangements of the host were not dissolved.⁷⁵ It is difficult to explain why Norman society expressed itself without

⁷³ Paraphrased from the dialogue in Migne, *Patr. Lat.* c. vii. 975 sqq.

⁷⁴ Steenstrup, *Etudes préliminaires*, pp. 145, 165 sqq.

⁷⁵ *Ibid.* pp. 158-60. It seems impossible to give a metaphorical meaning to the word *funiculus*, in view of the other passages quoted by Steenstrup. Although the areas of administration were vague and dependent upon a centre of jurisdiction, it does not follow that the division of lands was not elaborate and definite. It was, in fact, this very distinction between feudal authority and the traditions of government which allowed the dukes to gain supreme control.

loss of unity in feudal ways, while the Danes maintained more independent forms in England. The hierarchy had not been based upon the principle of tenure or even oaths of personal allegiance. We have seen that it was probably fitted into the system of Frankish administration, which was not strictly feudal.⁷⁶ But the principle of tenure was its most obvious expression. Hence in the twelfth century nearly the whole of Normandy can be described in the terms of a feudal geography which is not very extensive and includes a network of inferior relations.⁷⁷

The feudal structure had distinctive traits in Normandy. Just as, by means of the elimination of the counts, the administration of the Frankish kings was used to maintain the coherence of Norman society and to strengthen the authority of the duke, so territorial feudalism played a great part in knitting the people together. At the expense of older family and tribal ties a more artificial military order was created, which, however turbulent, was even more amenable to central control than the body of freeholders. The articulation of this order was precise. As in the rest of France, it began in the tenth and eleventh centuries, and is to be connected with the economic and military importance of the castle. In the lands of the Franks the highest rank included most of those *milites* who were descended from royal vassals and were distinguished by the possession of a castle. In Normandy the process was accomplished among men still new to the soil, much more affected by personal claims, proud of their race, but fierce and quarrelsome and greedy for power. The monograph which M. Gerville devoted to the castles of La Manche⁷⁸ enables us to picture the extent of this new feudal life, which was to transform England and Sicily. Overlooking the wide bay of Mont St. Michel or the winding, well-wooded streams of the Avranchin, grouped together in some large honour, like Mortain,⁷⁹ or existing in solitary strength, these centres of activity were dotted all over the countryside. The general title, *miles*, was after gradual changes dropped in describing the owners of these places, and was succeeded by such terms as *vir nobilis*, *dominus* (which lingered on in chivalrous literature), and finally by the vague word baron.⁸⁰ The *miles*, or

⁷⁶ *Ante*, vol. xxi. p. 635. For the nature of the original settlement see Glasson's remarks on the alod (*Histoire du Droit et des Institutions*, iv. 503) and Pollock and Maitland, i. 68.

⁷⁷ List of knights' fees of 1172 in *Red Book of the Exchequer*, ii. 624. Delisle has arranged the chief baronies under dioceses in *Bibliothèque*, xi. 400-3.

⁷⁸ *Mém. de la Société des Antiquaires de Normandie* (1824).

⁷⁹ See the detailed division of the county of Mortain into three lots in 1235, with Delisle's note (*Cartulaire Normand*, no. 412).

⁸⁰ For all this see Guilhaume, *Essai sur l'origine de la noblesse*, pp. 142-59. The relief of the baron is given in Tardif, *Coutumiers*, i. 39. The gradual definition of this vague word, *baro*, is the best commentary we possess upon the process which depressed some men and raised others. The narrow meaning was reached by he

knight, was recognised more and more definitely in the official language of feudalism as the follower of the baron, the protector of the castle. The knights were marked off in military and later in judicial⁸¹ usage as responsible people, men with an estate. They had their own social distinctions. There was a very well defined order of knights proper (*militēs cum loriciis*), heavily armed men, who, like the *pares* of Flanders and Picardy, were the chief element of the feudal court. They often inhabited fortified places, even if these had not the political importance of a castle. They were peculiarly subject to all kinds of treatment at the hands of fortune, and, as will be seen, were conspicuous in the course of later feudal changes. In picked, symmetrical bodies, or *constabulariae*, they were the strength and glory of a great baron.⁸² The other knights were called vavasors. These had various functions and were of varying importance. They were distinguished by having more definite tasks to perform, especially duties of castle guard.⁸³ They were stay-at-homes, fixed quantities, who tilled their land without the distractions or temptations of the knights proper. They form a link with the lower vassals, who in their turn introduce us to the peasant class.⁸⁴

Such was the state of feudal society in the twelfth century. The conditions for building up a strong state were not unfavourable when Henry II became duke. Something had been done already. Both church and state had given a sanction to feudal development. In some degree religious corporations had invaded nearly every feudal lordship. They had used secular weapons for purposes of defence and administration, and in return had shown the value of

twelfth century in Brittany, but under Conan II (1040-66) cooks and harpers are styled barons (Arthur de la Borderie, *Histoire de Bretagne*, iii. 49-50). Beaumont-Beaupré establishes the general use of the word for under-tenants in Anjou (*Coutumes et institutions de l'Anjou et du Maine*, pt. ii. vol. i. pp. 89-92). More conclusively Professor Tait has pointed out its use in this way in England (*Medieval Manchester and the Origin of Lancashire*, pp. 182 *sqq.*; add to the instances there given the barons of the earl of Devon in the Isle of Wight; also of Henry of Essex, *Rot. Chart.* 52 b, 64 b). Norman examples may be seen in Round's *Calendar*, e.g. no. 1122, p. 402, a charter of William of Briouze (1141-1163), addressed to his barons, viscounts, bailiffs, and servitors.

⁸¹ The legal knights and vavasors of the recognitions. Cf. Guilhiermoz, pp. 167, 351.

⁸² *Ibid.* pp. 181 *sqq.*; Round, *Feudal England*, pp. 259, 261.

⁸³ See Guilhiermoz, *op. cit.* In 1172 the distinction was not very marked between the duties of knights and vavasors; and throughout the knights, whether vavasors or not, were important in the castle (cf. *Red Book of the Exchequer*, pp. 630, 632 and *passim*). But, as time went on, the social status of the *militēs agrarii*, as Robert of Torigny calls them, became distinct from that of the men dubbed knights, who were not bound down to special local duties.

⁸⁴ In 1157 Ricardus de Domno Iohanne had land amounting to eighty-four acres in all, 'que erat feudum unius vavassoris' (given in Delisle's edition of Robert of Torigny, ii. 249).

contracts in fitting personal to proprietary rights.⁸⁵ Similarly the state, as in Flanders and Barcelona, might use its strength to impose upon the fief a military and political organisation.⁸⁶ In England at any rate the Conqueror had shown the implications of Norman feudalism. Quite apart from feudalism in the classical sense, the relation between administrative service and the possession of land had long been formed. It is implied in the dual nature of the early Norman viscounts, as hereditary barons and officials, and goes back to Frankish times. Henry II forced feudalism as a whole into his service, and imposed a uniform administration upon all his dominions. The regulation of seignorial justice has already been examined. It is necessary now to see how these and other restrictions were made possible.

The king's first task was to avail himself of the opportunities for defence and organisation presented by the extensive ducal domains. He recovered as much as he could of what had been lost or given away. His father, Geoffrey of Anjou, had been forced to make large grants to his supporters, which Henry began to absorb 'prudently and patiently.'⁸⁷ More important was Henry's use of his lands. Henry I had understood the administrative value of the castle, and had built several in strategic positions.⁸⁸ Geoffrey, as he gained Normandy bit by bit and used local feeling against local laws, acquired Montfort from the count of Meulan and Lions-la-Forêt from Hugh of Gournai.⁸⁹ Henry carried on this policy. Within a few years he forced some of the greatest barons of Normandy to surrender their castles along the march in the interests of the state. In 1159 Simon of Evreux handed over three fortresses which he held beyond the border near Rambouillet and Chartres.⁹⁰ Simon of Anet did likewise.⁹¹ On the death of William of Mortain in the same year Henry kept his vast honour in his own hands. It was farmed by the royal bailiffs until John was invested with it.⁹² In 1161 the king took over the castles of the count of Meulan and refortified Gisors as a precaution against Louis of France.⁹³ Five years later the count of Alençon and his family were forced to surrender Alençon and Roche-Mabile.⁹⁴ In the meanwhile Henry was also building new castles or strengthening old.⁹⁵ Thus he was enabled to make the royal castle the centre of authority all over Normandy.

⁸⁵ Flach, *Les Origines de l'ancienne France*, ii. 551-4.

⁸⁶ *Ibid.* ii. 557-8, iii. 88.

⁸⁷ Robert of Torigny, ed. Delisle, i. 284.

⁸⁸ *Ibid.* vol. i. pp. 196-7.

⁸⁹ Vol. i. pp. 224, 235. Later Hugh de Montfort, whose family had possessed the castle under the count of Meulan, was castellan of Montfort with a salary (see Stapleton, i. cxviii.)

⁹⁰ Robert of Torigny, i. 326.

⁹¹ Vol. ii. p. 179 (Bee contin.)

⁹² Vol. . p. 326.

⁹³ Vol. i. p. 380.

⁹⁴ Vol. i. p. 360.

⁹⁵ Vol. i. pp. 331-2; for Pontorson see i. 314, 335.

The rebellion of 1173 allowed Henry to complete the political destruction of the baronage. Upon some families his hand was always heavy. The powerful and turbulent lord of Fougères, the bulwark of angry Brittany and the kinsman of the Montforts and many another Norman house, twice saw his home destroyed by fire, and in the great revolt was driven to harass the king's men and lands from the shelter of the woods.⁹⁶ In 1173 the work was finished. It was a hard fight. Many castles were burnt on both sides. The partisans of the young Henry lost their inheritance, and many others, who were good men, lost all and were reduced to wretchedness. In numerous places, wrote the Marshal's biographer some fifty years later, 'one can still see traces of the war. In Normandy, England, Anjou, Poitou, Maine, and in the duchy of Aquitaine are ruined castles which have not yet been nor ever will be set up. So passes the glory of the world.'⁹⁷

Henry controlled the baronage by precept as well as by force. He made a searching investigation of the lands, wealth, and duties of his subjects, which had the effect of almost doubling his income.⁹⁸ The result of the inquiry is seen in the extant roll of 1180, and one of its records is the list of knights' fees of 1172. It has been calculated that in 1172 a total of 1,500 knights owed the service of 581.⁹⁹ It would be beyond the scope of this paper to examine the effect of Henry's measures upon the military arrangements of the Norman dukes. The bearing of the list of knights' fees upon the transition from personal to money service, the extent to which personal service was exacted or given during the French wars, the influence of chivalry and of the growing knightly class, the military organisation of the royal castles, and the reliance upon mercenaries—all these matters demand separate treatment. As an administrative document the list of 1172 is very suggestive. It reveals the necessity of organisation and the great diversity of custom. The same amount of service is due from estates of very different size; the hold of the duke upon the military strength of the nation is not very firm.¹⁰⁰ As the list reappears in the time of Philip Augustus Henry evidently did not think it desirable to interfere further; he

⁹⁶ Vol. i. p. 361; ii. 45.

⁹⁷ *Hist. de Guillaume le Maréchal*, iii. 88.

⁹⁸ Robert of Torigny, ii. 28 (a. 1171). Compare the inquiry of 1163 (i. 344). The inquiry of 1171 must have covered more than the results in the list of the following year. 'Rex Henricus senior fecit investigari per Normanniam terras de quibus rex, Henricus, avus eius, fuerat saisitus die qua obiit. Fecit etiam inquiri quas terras et quas silvas et quae alia dominica barones et alii homines occupaverant post mortem regis Henrici avi sui; et hoc modo fere duplicavit redditus ducatus Normanniae.'

⁹⁹ Guilhiermoz, *op. cit.* p. 268, note.

¹⁰⁰ The value of the inquiry may be seen in the roll of 1198. Richard Silvain accounts for the *auxilium exercitus* raised upon Hugh de Montfort's barony of Cocquainvilliers (*Rot. Scacc.* pp. 364-5). Hugh only owed service for five knights but the bailiff accounts for about twenty-three of the thirty-three and seven-twelfths fees of the *Red Book* (see Stapleton, ii. lxvii.)

was satisfied with the increase in his revenue which followed his inquiries. Indeed, the age of the feudal host was passing away.

It is probable that the king interfered more directly with the feudal customs of inheritance. He drew a sharp line between tenure in general and the three chief tenures of barony, knight's fee, and ducal serjeanty.¹⁰¹ To these he applied his theory of indivisibility.¹⁰² Baronies and fees of the hauberk were to be undivided; the younger son of a noble was thus thrown upon the world. He became a knight-errant. In this way Henry hastened social changes already in progress. In the case of all other tenures the king enforced the Angevin custom of tenure in parage, for which he seems to have had a great affection. All except the three chief tenures, and even these in the absence of an heir male, were subject to division in such a way that, while the eldest had the greater part, the younger brothers and sisters owed him no homage and did him no service.¹⁰³ This measure had the effect of increasing the number of tenants in chief, and also of intensifying the relation between land and service. Henry understood the art of high farming. The social results were still more important. The gulf between the higher and lower orders of military tenants was deepened. While the sons of a baron and knight became wanderers, and formed a class of noble adventurers, the sons of a vavasor stayed at home and divided the inheritance between them. The importance of this distinction, in explaining the rapid growth of chivalry, has not been appreciated as it deserves.

The reality of Henry's interference and his ruthless sacrifice of custom to system may be measured by the anger which his rule aroused in Brittany. Duke Geoffrey's assize of 1185 was simply a copy, in almost the same words, of his father's reforming measure in Normandy. Here as everywhere Henry insisted upon uniformity. He delighted in creating the law which was to guide others. The distinguished Breton historian M. Arthur de la Borderie is eloquent, even in our own day, with all the righteous

¹⁰¹ The county and barony were practically of equal political importance at this time, just as in Brittany the barony and knight's fee were not far apart (A. de la Borderie, *Hist. de Bretagne*, iii. 288).

¹⁰² Tardif, *Coutumiers*, i. 8-9; Guilhiermoz, p. 214. I have stated the distinction between primogeniture and tenure in parage rather too sharply, because it is needful to bear in mind the double tendency of Norman society. In actual practice exceptions are found, and the responsibility of the eldest for homage and service, in cases of parage, would help to keep fiefs together. Again, Henry's part was probably not so much original as definitive. The historians of English law take a still more moderate view (Pollock and Maitland, ii. 266).

¹⁰³ *Vavassoria et laicum tenementum et burgencia iuxta consuetudinem patrie partientur* (*Coutumiers*, i. 9). For Henry's part see Guilhiermoz, pp. 203 *seq.* The policy in the case of the greater tenures when there was no direct heir male was subject to alteration. King Richard legislated in a time of war to prevent the division among daughters 'contra nepotes' (*Coutumiers*, i. 13).

indignation of tradition, not over the injustice or extortion but over the tyrannical concentration of this implacable system-maker.¹⁰⁴ At the same time Henry was in fact helping to establish a new social system. If the young Henry gave the stimulus to chivalry the old king cleared the way. The chivalry of the twelfth century did not find expression in the pomp and ceremony of succeeding generations. But it implied a body of conscious conventions, under whose guidance men might learn to breathe a freer air. Social changes and royal policy had combined, with no set purpose, to produce a new order of men, for whom war was no longer a grim business but a pastime. Feudalism had become a composite thing; and its terminology was no longer adequate to describe social relations.

Early in the thirteenth century the vague term *miles* was applied as a sign of nobility and high breeding, of social importance rather than of territorial wealth. Knighthood was almost a sacred condition; its conferment was a privilege; its duties were being formed into a code which comprised the lessons of poetic story no less than the customs of feudal procedure.¹⁰⁵ The distinction which was made in the baron's court between the vavasseur and the knight with the hauberk; the economic pressure which divided the ranks of the knights; the customs of primogeniture and indivisibility, which threw a large number of well-born youths upon the world to live by their sword and their wits; the influence of the crusades in linking the idea of a soldier's life with good deeds and lofty purposes—these things produced chivalry. In the second half of the twelfth century one of the earliest and also most illustrious of the chevaliers rode alone to the court of Flanders, and the subsequent adventures of young William the Marshal afford a lively picture of the new life, and especially of its relation to the political world. Normandy and Brittany were the natural home of chivalry. England, the chamberlain told William, is a land only fit for vavassors and stay-at-homes. Those who love a life of knight-errantry and tourneys must go to Brittany and Normandy.¹⁰⁶ Indeed, this side of Norman life forms the real background to some of our most important authorities. Beneath the artificial verses of William the Breton we may feel the excitement and wonder of men undisturbed by deep political and religious speculations. They live in a land of clear, gentle streams. They drink and tell tales in strong places whose management and defence are a source of intense and curious interest. The chronicler of Béthune and still more

¹⁰⁴ *Histoire de Bretagne*, iii. 281.

¹⁰⁵ Flach, ii. 561; Guilhiermoz, pp. 347-8, 352 sqq.

¹⁰⁶ *Hist. de Guill. le Maréchal*, iii. 23-4. Meyer quotes also from a romance (p. 24, note).

'Ce dient cil de Normendie
Que si bele chevalerie
N'a el siecle que de joster.'

the Marshal's biographer are more intimate guides. John of Early looked well upon a world full of glamour and incident, of jousting, dances, gossip, tales. He speaks of politics as they were discussed in the camp and castle hall, and recites the shrewd counsels of his hero with an air of simple yet critical enjoyment. Clerks and rolls, exchequer and assizes are dull, unthought of things. He has read history in the romance of Alexander and studied records in the household rolls of Master Wigain,¹⁰⁷ clerk of the young king's kitchen. His memory is of furious rides over the gorse and the shock of spears at Azai or Lagni-sur-Marne. His companions love practical jokes and the discomfiture of the braggart and the cheat. They learn to observe laws of courtesy and to trust in a courteous God.¹⁰⁸ In fortune and in distress they live a self-sufficient life, which reveals the virtues and errors of their time. And, like the members of every society which has its end in itself, their place in history is to tell the secret of their own age, not to guide us to the meaning of the next.

One of these secrets was the power of private and personal associations. During the years which saw the transition from personal to money service the baronage and knighthood of Normandy had learned the value of more intimate relationships than those of feudalism. Young knights, free from or superior to ordinary cares, had formed brotherhoods which might foster friendships as rare and sweet as that of Palamon and Arcite.¹⁰⁹ These associations were by no means devoid of political significance. They must have played a large part in the public following of the young Henry, whose glorious days were remembered so long and so wistfully by lovers of chivalry.

It was the young king who made chivalry live again, for she was dead, or nearly dead. He was the door by which she entered. He was her standard-bearer. In those days the great did nothing for young men; he set an example and kept the men of worth by his side. And when the men of high degree saw how he brought together all men of worth they were amazed at his wisdom and followed his lead. The count of Flanders did the same, and so horses and arms, lands and silver were showered upon young men of valour. Nowadays the great have put chivalry and largess in prison again, so that the life of errantry and tournaments is deserted for lawsuits. But, if God wills, the king [Henry III] will give back joy and laughter to the world.¹¹⁰

¹⁰⁷ Vol. iii. pp. 103, 43. Cf. the list of jousts which is one of the sources of his history, pp. 50, 54.

¹⁰⁸ *Hist. de Guill. le Maréchal*, iii. 22; cf. p. 50. For courtly literature see Gaston Paris's article in the *Bulletin des Antiquaires de Normandie*, xx. 337 (1898), and Eugène de Beaurepaire's *Etude sur Guillaume de Saint-Pair* (*Mém. de la Soc. des Antig. de Normandie*, xix. 231).

¹⁰⁹ *Hist. de Guill. le Maréchal*, iii. 43 and note.

¹¹⁰ *Ibid.* pp. 37, 49.

The knights of the young king's court were bound to him by personal ties, and lived a common life, supported from the royal purse. They combined business and pleasure in the tournament, and it was the custom to hand over their booty to their lord.¹¹¹ It is easy to see how relations of this kind could be maintained by a strong man or a man of personal charm, and lost by a weak or sullen-tempered ruler. Hence the familiar relations of earlier days were renewed under King Richard to more practical purpose. Richard was a sterner man than his brother, and had been brutal in his youth, but there were few knights and barons who would not follow him. He left his government to be carried on as his father had designed, but took up a work which the old Henry had neglected. It seemed as though the new chivalry was after all to be enlisted in the service of the state. Under his statesmanlike leadership war became an exciting and wonderful thing. His bitterest foe gave him unhesitating praise. His capture, says William the Breton, was due to a kingliness which could not be hid.¹¹² The Germans were amazed at the number of barons and ecclesiastics and knights who flocked to visit him in Germany.¹¹³ On his return there was a united rally to repel the invader; Philip's old allies fell away; but after Richard's death men lost heart and forsook their homes to go to the Holy Land or on some pilgrimage.¹¹⁴ He had been the leader whom the younger baronage desired, the 'mighty one,' as his mother once termed him afterwards.¹¹⁵

The churlish John was no leader of fashionable society. The king's evil rule and the brutality of his mercenaries lost him the support of his baronage. 'The Normans were not asleep in the days of the young king. Then they were grain, but now they are chaff; for since the death of King Richard they have had no leadership.'¹¹⁶ A monastic writer of the time who had seen the possibilities of the almost sacramental idea of knighthood calls the knights the hands of a state,¹¹⁷ but a strong head was needed to control the members of the body politic. Indeed, no attempt had been made to reconcile the economic with the social tendencies of Norman life. Chivalry might easily disregard the duties of political life, just as we are told it had learned to look with contempt

¹¹¹ For this see Meyer's valuable introduction to the Marshal poem. Of course the existence of large baronial and monastic establishments had been continuous throughout the eleventh and twelfth centuries. John the Marshal had 300 knights in his pay in Stephen's time (*Hist. de Guill. le Marechal*, iii. 1).

¹¹² *Philipp.* iv. 340-57.

¹¹³ *Rad. Dic.* ii. 110.

¹¹⁴ Will. Breton (ed. Delaborde, i. 205, 211).

¹¹⁵ Round, *Calendar*, no. 1101, p. 891.

¹¹⁶ *Hist. de Guill. le Marechal*, iii. 58; cf. 172.

¹¹⁷ In the treatise *De Regimine Principis* by the singer and writer Helinand, a monk of Frigidus Mons, in the Beauvais (*Patr. Lat.* cxxii. 745).

upon religious observances.¹¹⁸ However this may be, it was never put to the test. Its brief career in Normandy was but another witness to the favourite medieval idea of the transitory nature of human things.

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¹¹⁸ Peter of Blois makes King Henry criticise the knights of his court; they are ashamed to do penance. *Tota enim militum vita in peccato est* (Migne, *Patr. Lat.* ccvii. 986-7). The private and personal nature of the knight's relation to his lord may be seen from the Marshal's history (iii. 74, &c.) On the other hand the value of feudal relations is obvious in the history of King Richard even in his early days, as when he despatched 200 letters in one night to his supporters (from Amboise in 1189, *ibid.* iii. 99). In John's reign a distinct class of *bachelors* existed, who belonged to the retinue of the king and had received lands in return for a promise of personal service. In a letter to Ralph of Mauléon, seneschal of Poitou, John commands *quod omnes feudos et terras quos dedimus bachellariis quos retinuimus de familia nostra in ballia vestra qui homagia et fidelitates et ligentias nobis non fecerunt, in manum nostram capiatis* (3 February, 1200, *Rot. Chart.* 59 a). There is a somewhat similar letter to the seneschal of Normandy (19 March 1201, p. 102 b). See also Guilhiermoz, *op. cit.* pp. 245-6, notes, for poetical references. The king threatened in 1205 to revenge himself upon his barons by means of his bachelors (*Hist. de Guill. le Maréchal*, ii. 110). Meyer is incorrect in his statement that they had no lands (iii. 181, note).

Mary Stuart's Voyage to France in 1548

THE story of Mary Stuart's voyage to France in the summer of 1548 has hitherto escaped the minute and critical examination to which many of the later incidents in her life have been subjected. In the absence of authentic information it has been impossible to reconcile the conflicting narratives of this momentous episode in her childhood, and each succeeding account has only served to increase the confusion. There is but one point on which her historians agree—the departure from Dumbarton on board a French galley. On the other hand the actual journal of the voyage, which has been preserved among the Balcarres Papers in the Advocates' Library, Edinburgh, agrees with none of the accepted accounts, nor even with any combination of them. It consists of a series of letters written to the queen dowager of Scotland by the sieur de Brézé, who had been entrusted by Henry II with the mission of conducting the young queen to France, in accordance with the prearranged decision of the Scottish parliament. This journal, unknown to any of Mary's biographers, enables us to trace her movements from Dumbarton to St. Germain, while the correspondence of Henry II and his court fills in the lacunae in the narrative of De Brézé.

The disaster to the Scottish army at Pinkie Cleuch on 'Blak Sattirday,' 10 September 1547, brought in its train the first serious crisis in the life of Mary Stuart. Before that event her betrothal or marriage had been regarded by the French court as a matter of minor importance—provided always that she were not allied with England. In 1543 the French king interfered to secure her marriage with one of her own subjects who was 'fit to govern the kingdom';¹ and her future was again subordinated to the exigencies of French diplomacy in 1546, when Francis I instructed his ambassador to offer her hand to the son of King Christian of Denmark, as a safeguard to a proposed tripartite league between France, Denmark, and Scotland against England.² Pinkie, however, transformed Mary into the most desirable princess

¹ Bibl. Nat., Paris, MS. Fonds Français 17330, 17888, 17889, and 17890.

² *Ibid.* MS. 20977, f. 144.

in Europe as a wife for the dauphin of France. The prospect of an English conquest in Scotland had spread dismay at St. Germain; in the words of Montmorency 'the court could not have received a greater displeasure if the said loss had been inflicted on themselves.'³ Moreover the queen dowager, who jealously watched over the interests of France and of her family in Scotland, had frankly expressed her resentment against the manner in which she had been neglected by her relations and friends in France.⁴ In a word, the Pyrrhic victory gained by the Protector had the immediate effect of composing the discords which agitated the respective courts of France and Scotland; and a strenuous endeavour was now made to restore an aspect of reality to the Franco-Scottish alliance. The Protector alternately cajoled and threatened M. de Selve, the French ambassador in London. Henry II and the constable, however, held other views in regard to Boulogne than the specious offer of the English council—to diminish the pecuniary obligations of France under the treaty of Ardres in consideration of a benevolent attitude towards the marriage of Mary Stuart and Edward VI. Nor was any attention paid to the warning 'that Scotland would merely serve as a sponge for the absorption of French money.' While the Protector was thus endeavouring to win the consent of Henry II to the union of the English and Scots under the 'emperor of Great Britain'⁵ the negotiations in Scotland had made rapid progress. In the middle of November the trusted D'Oysel, 'who had not his equal in handling the Scots,' quitted the deliberations at Stirling to communicate the state of Scotland to the French court, 'along with certain particular points which neither the queen dowager nor the governor would commit to any but him.'⁶ These particular points related to the terms on which the earl of Arran was prepared to consent to the union of France and Scotland by the marriage of the royal children, of whom Montmorency remarked, when writing to the queen dowager (30 March 1549), 'I will assure you that the dauphin pays her little attentions, and is enamoured of her, from which it is easy to judge that *God gave them birth the one for the other.*'⁷

The 8th of February 1548 is generally considered to be the date on which the Scottish lords gave their formal assent to the marriage; and by the 28th Mary had arrived at Dumbarton, where she remained until her departure for France.⁸ It was surmised in London on 21 March that she would be carried to France; and, for the moment, she was rumoured to be dead,

³ MS. Balcarres Papers, vol. iii. 18.

⁴ *Ibid.* ii. 88.

⁵ *Correspondance Politique de Odet de Selve*, p. 269.

⁶ Earl of Arran to the duc d'Aumale, MS. Fonds Français 20457, f. 7.

⁷ MS. Balcarres Papers, iii. 19.

⁸ Odet de Selve, p. 299.

seriously ill, and, finally, convalescent.⁹ The arrival of the French auxiliaries in the Firth of Forth was followed by the decision of the Scottish parliament at Haddington (7 July) 'to be,' in the words of the queen dowager, 'the subject of the French king, by reason of the honour which he has done to the queen, my daughter, in desiring to give her to his son.' 'I leave to-morrow,' she added, 'to send her to him as soon as the galleys have made the circuit.'¹⁰ This decision, and the purpose of the French admiral in sending a part of his fleet round the north of Scotland, were known in London on the 13th.¹¹ It was rumoured there on the 31st that Mary had already embarked for France, and there was definite information on 1 August that she should have sailed four days previously.¹² The French ambassador conjectured that several ships had been detained at Portsmouth to watch the western passage; but, in point of fact, the English fleet was deliberately sent north, in the hope that the galleys remaining on the east coast would fall an easy prey on account of the recent reduction in their number. No serious attempt was made to capture Mary Stuart, and the allegation by Chalmers that one of the ships was taken by the English conflicts with De Brézé's statement that they suffered no loss on the voyage.¹³

Mother and daughter bade farewell to each other at Dumbarton on 29 July, when Mary and her suite embarked under the care of the sieur de Brézé. Two days later De Brézé, who had been instructed by the queen mother to keep her fully informed of her daughter's movements, writes, from on board the galley—

Madame, I have this hour received your letter, along with the packet of M. Berthier, the ambassador, the reading of which will serve to relieve the tedium of our voyage. The queen, your daughter, fares as well and is, thanks to God, as cheerful as you have seen her for a long time.¹⁴

The next letter, written near the house of Mr. Corsefot, is undated:

Madame, I am unwilling to lose this opportunity of writing you this short letter by M. de Corsefot, who visited the queen in this place near his house, where we anchored this evening, and to inform you that the queen fares exceedingly well and has not yet been ill on the sea. The weather is somewhat favourable for us. We hope that it will yet improve; and we will not fail to inform you when, by the pleasure of God, we land in France.¹⁵

⁹ Odet de Selve, pp. 303, 305.

¹⁰ 8 July, *Mémoires-Journaux de Guise*, p. 3.

¹¹ Odet de Selve, p. 402.

¹² *Ibid.* pp. 415, 421.

¹³ MS. Balcarres Papers, iii. 122.

¹⁴ *Ibid.* iii. 126.

¹⁵ *Ibid.* iii. 127.

On Friday, 3 August, he continues—

Madame, I have received your letter this morning, and as news of the queen, your daughter, I can assure you that she fares as well and is as healthy as you ever saw her, for which, on my part, I praise our Lord, and only regret that I am unable to give her greater comfort. I am very sorry that the weather has not been such that this courier could reach us here; but every seafaring man must have patience. To-day the weather has set fair, and, should it continue, I hope soon to send you pleasing news. I desire to assure you, madame, that in spite of the very high winds during the past few days, which tossed the galley most severely, the queen has never been ill. This makes me think she will suffer little on the open sea.¹⁶

De Brézé may be considered a better authority on the progress of the fleet than Lord Grey, who reported that it was still at Dumbarton at noon on the 3rd, while the gruff admiral's reply to Lady Fleming is not wholly convincing.¹⁷ On 6 August, 'from the roadstead of the island of Lamash,' De Brézé writes—

Until the present the weather has been unfavourable. It showed signs of having spent itself, and with a slightly favouring wind we at once set sail for the open, so that I had not leisure to write to you yesterday. But just as we had reached the open the wind veered round against us, and we were compelled to return to port and our former shelter. While we were there five or six other ships, laden with provisions, arrived, and I was unwilling to let them pass without informing you that, thanks to God, the queen, your daughter, is well and is as little wearied as possible, as are also the rest of her company.¹⁸

The following day the elements relinquished their fruitless struggle to retain the luckless maid in her own kingdom. 'Far towards the north,' writes the poet Du Bellay in the *Entreprise du Roy Daulphin*, 'we left Scotland, where the French lily now blossoms, and coasting along that part of England where Cornwall narrows to a point we came to port in Brittany.'¹⁹ The prosaic De Brézé furnishes some additional details.

We were almost compelled on two or three occasions to return to port at Dumbarton; and one night about ten leagues from the Cape of Cornwall, when the sea was wondrously wild with the biggest waves I ever saw in my life, to our great consternation the rudder of our galley was smashed. Nevertheless our Lord was pleased to intervene, so that we replaced the rudder almost at once, in spite of the heavy sea that was running.²⁰

This storm has formed the subject of much descriptive writing in the history of Mary Stuart, as well as an explanation for her landing in the nest of Breton pirates at Roscoff, her footprint on

¹⁶ MS. Balcarres Papers, iii. 129.

¹⁷ Tytler, vi. 370.

¹⁸ MS. Balcarres Papers, iii. 131.

¹⁹ *Entreprise du Roy Daulphin*, ed. 1558, B.

²⁰ MS. Balcarres Papers, iii. 132.

the rock there, and the erection, later in the year, of a chapel to St. Ninian over its tracing. De Brézé makes no reference to this picturesque incident; Mary did not return to Brittany later in the year, and the chapel itself does not figure in the enumeration of Albert le Grand.

On 18 August De Brézé writes from St. Pol de Léon—

Madame, in the belief that it will be a comfort to you to have news of the queen, your daughter, and of her company, I am unwilling to fail in my obedience to the orders which you were pleased to give me at my departure, and to inform you that she prospers, and is as well as ever you saw her. She has been less ill upon the sea than any one of her company, so that she made fun of those that were (*a este moyngs malade sur la mer que personne de sa compaignye, de sorte qu'elle se mouquoit de ceulz qui l'estoient*). We landed here at St. Pol de Léon on the 15th of this month of August, after a stormy passage of eighteen days on the sea. Informing you, madame, that I hope shortly to conduct the queen to St. Germain, in accordance with the orders which the king has sent me. His desire is that she should be brought there, and he has sent a *matre d'hôtel* and the other servants for her service. Monsieur and Madame de Guise, M. d'Estampes, and M. de Rohan also come to meet her.²¹

The only evidence which is strictly contemporary appears at first sight to contradict De Brézé's statement; so that the question naturally arises—Did Mary Stuart first touch French soil at Roscoff or at St. Pol? On 24 August Henry II wrote to M. de Humières from Turin, 'I have certain news of the arrival of my daughter, the queen of Scotland, in good health at the harbour of Roscoff, near Leon, in my duchy of Brittany.'²² In the letters to his ambassador in England,²³ and in the draft of his letter to the Scottish estates—an amazing example of impolitic writing if despatched in this form²⁴—Henry specifies no port; while Joachim du Bellay, in spite of the liberty which Baron de Ruble has taken with his text, is equally indefinite, and even omits to notice Mary's presence either at St. Pol or at Morlaix. The only explanation of the variation between the letters of Henry II and De Brézé is that the galleys had put into Roscoff, whence a messenger announcing their arrival was despatched to the father-king, then at Turin, and thereafter sailed round the promontory to St. Pol, where Mary and her party disembarked. In view of De Brézé's definite statement—*fymes notre descente en ce lieu de Sainct Paul de Leon le xv^e de ce mois d'Aougst ayants demeuré dixhuict jours sur la mer*—it seems scarcely probable that they landed at Roscoff and thence crossed the promontory to St. Pol, some five miles distant.

²¹ MS. Balcarres Papers, iii. 132.

²² MS. Fonds Fr. 8134, f. 12: transcript Egerton.

²³ Petitot, ser. i. 24, 11.

²⁴ Ribier, ii. 150.

In regard to the date as well as the place of arrival, the confusion among the printed authorities may be reduced to a relative degree of order by a classification of the references. Ignoring those writers who vaguely state that they landed in *Brittany* or *France*, it will be found that Leslie (1578) is the original authority for Brest. This was accepted—except by Albert le Grand (1636) and Père Morice (1750)—until 1850 when Dargaud, on the authority of Le Grand, selected Roscoff as the landing place. Since then Brest has none the less found favour with as many writers as Roscoff. In regard to the question of date Chalmers (1818) was the first historian to fix the 13th, and in this respect has been followed by the majority of writers, although a few have continued to favour the 14th or 20th. The explanation of those variations is to be found in the fact that Miss Bengier, misquoting Chalmers, wrote the 14th instead of the 13th, while the adoption of the 20th was due to the statement of Le Grand that Mary arrived by sea (and river) at Morlaix on that date. Looking to the severity of the weather experienced on the voyage and to the excellent organisation of the royal posts in France, it seems unnecessary to question the accuracy of the date given by De Brézé.

In accordance with the instructions of Henry II, which were received on landing, the journey to St. Germain was continued under the supervision of De Brézé. On the 20th Mary entered Morlaix in state, accompanied by her distant cousin the vicomte de Rohan, who had been deputed by Henry to receive her at her landing. From Morlaix they proceeded overland to the Loire, and embarked on board a barge, it is believed, at Nantes. De Brézé signals their presence on the river at Ancenis, a few miles above Nantes, where the company was saddened by the death of young Seton—*le petit Ceton*—‘from inflammation of the stomach.’ This was the only loss which they experienced on the journey, although the lives of Mary’s two guardians, Lords Erskine and Livingston, were at one time in danger. They were reported convalescent on 1 November.²⁵ From Ancenis the royal barge passed by Angers through Anjou into Touraine; and at Maillé, in consequence of letters from Henry II ordering him on active service with the duc d’Aumale, De Brézé took leave of his young charge, after having three days previously (17 to 21 September) placed her in the hands of her grandmother Antoinette de Bourbon.²⁶ On the 3rd the duchess informed the queen dowager by letter that she was leaving that week to meet her granddaughter; and soon afterwards she communicated her first impressions of Mary to the cardinal—‘I assure you, my son, she is the prettiest and best at her age you ever saw.’ The journey was thereafter continued by river past Amboise and Blois—‘renowned as the cradle of the

²⁵ MS. Balcarres Papers, iii. 122.

²⁶ *Ibid.*

kings'—to Orleans, where it was resumed by land. Various dates were announced for her arrival by Henry during his progress in the south-east; and, finally, on Sunday, 14 October, the future queen of France joined the royal children in the Castle of Carrières, near St. Denis,²⁷ whither they had been removed during the alterations at St. Germain.²⁸ Here she took precedence among the children and shared the best room with the princess Elizabeth.²⁹

The news of her arrival reached Henry at Moulins in letters from the duchess and M. de Humières; and on the 18th he wrote to the duc de Guise that 'Mary and the dauphin had taken to one another as if they had known each other a long time, and no one comes from her who does not praise her as a marvel, which redoubles my desire to see her.'³⁰ Diane de Poitiers, in her letter to De Humières of 20 October, casts a side-light on the dauphin's welcome to Mary: 'The king is delighted with the dauphin's welcome to the queen of Scotland; I know well it results from your lesson.'³¹ With her usual tact 'this Aspasia of the age' followed the humours of her royal lover by an extravagant display of interest in the children; and, at the close of a long series of letters to their governor, she wrote on 2 November 'that the king was leaving to see his children, and would arrive one day in front of the court to enjoy the pleasure of their company all to himself.'³² Henry had already (25 October) announced from Nevers, where he had received the children's portraits, that he would arrive at St. Germain on 9 November;³³ so that his first meeting with Mary Stuart probably took place at that date, or very shortly afterwards. On 1 November De Brézé wrote to the dowager 'that the king has not yet seen her; but he has left Moulins for St. Germain, and I believe, madame, that he will find her as pleasing and as much to his fancy as all those who have seen her and found her pretty and of a clever wit.'³⁴ On 11 December he continues—

The king has come to see her here at St. Germain, where she was with the dauphin. I assure you, madame, he gave her the best welcome possible, and continues to do so from day to day. He is very happy that she arrived without accident or illness, and considers her no less than his own daughter. I have no doubt that if the dauphin and she were of age, or nearly so, the king would soon carry the project to completion. They are already as friendly as if they were married. Meanwhile he has determined to bring them up together and to make one establishment of their household, so as to accustom them to one another from the beginning. He has found her the prettiest and most graceful princess he ever saw, as have also the queen and all the court.³⁵

²⁷ *Mémoires-Journaux de Guise*, p. 2.

²⁸ Guiffrey, *Lettres de Diane de Poitiers*, p. 35.

²⁹ *Ibid.*

³⁰ *Ibid.* p. 45.

³¹ *Ibid.* pp. 34-5.

³² *Ibid.* p. 47.

³³ *Ibid.*

³⁴ MS. Balcarres Papers, iii. 122.

³⁵ *Ibid.* 123, 130.

Catherine de Médicis expressed her appreciation of the young queen in an autograph letter to the dowager, whom she considered marvellously fortunate to have such a daughter, so fair, so wise and excellent. She herself was no less fortunate, for she thinks Mary will be the support of her old age.³⁶ On another occasion Catherine remarked 'that our little Scottish queen has but to smile to turn all the French heads,' and Herrera (1586) maintains that she received Mary like a daughter. M. la Ferrière traces the subsequent antagonism between Catherine and Mary Stuart to Diane de Poitiers, who taught Mary that her mother-in-law was a merchant's daughter; but in regard to this famous phrase it is well to remember that it was attributed to Anne, duc de Montmorency, by a contemporary observer of no mean intelligence, Jean Michiel, the Venetian ambassador in France—*chiamandola figliuola d'un mercante, ed essa l'aveva saputo*.³⁷

After a residence in France of thirteen years—the happiest period of her life—Mary returned to her native land to find what in the interval had become an impossible situation. The tragedy of her life then began; but the shadow of the woman was forecast in the behaviour of the child during the storm in the story of De Brézé. Her high spirit and courage never failed her; and the attractive personality which so charmed the courtiers of Henry II still maintains its glamour, after centuries of intervening years, over the peoples of western Europe.

WM. MOIR BRYCE.

³⁶ Lord Balcarres's Collection, 1839, p. 22.

³⁷ *Relat. des Ambass. Vénét.* i. 434.

The Religious Factors in the Convention Parliament

IT has been customary for historians to assume that the Convention Parliament of Charles II was a body in which, as the circumstances of its election would indicate, the dominant party was presbyterian. Burnet, in one of the 'suppressed passages' of his *History*, says, 'The first thing proposed after the king's restoration was the settlement of the church. This was not to be ventured on till that parliament that had called home the king was dissolved, for they were for [the] most part presbyterians.'¹ This is the view which has been generally followed by later writers, though not universally, for Lingard and Guizot state that the presbyterians were in the minority.² But Dr. Masson and Dr. Airy regard the presbyterian majority as undoubted, and Mr. Wilbur C. Abbott uses the same assumption in his argument that the succeeding parliament, in which so many members of the convention sat, had a larger presbyterian element in its composition than has usually been supposed.³ As a matter of fact the settlement of the church was well under way long before the convention was dissolved, and it is worthy of note how completely this assumed presbyterian majority failed to make itself felt by obtaining concessions from Charles as a condition of his restoration, or by securing the fulfilment of the promises he had made in his *Declaration concerning Ecclesiastical Affairs*. We may accept Macaulay's plea that political expediency was the determining factor in the recall of the king without conditions, but the failure, in a house dominantly presbyterian, of the bill for turning the *Declaration* into an act, demands a further explanation than the 'violence of its promoters,' the known astuteness of the court policy, and the admitted adroitness of the

¹ Supplement to Burnet's *History of My Own Time*, ed. by Miss H. C. Foxcroft, p. 68.

² Lingard, *History of England*, viii. 300, 301; Guizot, *Histoire du Protectorat de Richard Cromwell* (Paris, 1865), ii. 205.

³ *Life of Milton*, vi. 24, 158; Airy, note to Burnet, i. 317; *English Historical Review*, xx. 22 seq., 27, 1906.

court party.⁴ The question may well be asked, Does other contemporary evidence support Burnet's statement that the bulk of the house was presbyterian?

Clarendon, who as the director of the court policy was vitally interested in the character of the house, wrote, years later—

The Party of the Presbyterians was very numerous in the House of Commons, and had before the King's Return made a committee to devise such a Government for the Church, as might either totally exclude Bishops, or make them little superior to the rest of the Clergy. But the Spirit of the Time had of itself elected many Members, notwithstanding the Injunctions sent out with the Writs, and expressly contrary to such Injunctions, of a very different Allay; who together with such as were chosen after his Majesty's Return, were numerous enough to obstruct and check any Prevalence of that Party, though not of Power enough to compel them to consent to sober Counsels.⁵

According to Clarendon, then, there was no such predominance of presbyterians even at the opening of parliament, and their influence was afterwards much diminished by the election of new members to fill vacancies. The chancellor's memory may have failed him, in this as in other matters, but there are passages in his correspondence, and in that of his contemporaries, which suggest that the presbyterian majority has at least been overestimated. George Morley, writing from London of the religious situation, says—

I am of opinion that all that is in difference betwixt us, is to be referred to the decision of a national Synod and free Parliament; the rather, because, if the Parliamentary elections in all places be as discreetly made as they are already hereabouts, and in many of the neighbouring counties, it is very probable the King may be called home upon reasonable and honourable terms by the Parliament.⁶

Lady Willoughby informs him that 'the Presbyterian pulpits do thunder against our Elections, and Baxter, the Corypheus of Worcestershire, is come hither for no good,' while another of his correspondents, discussing the settlement of church lands, writes—

The chief business now is, to moderate the conditions, which will pinch chiefly upon the Presbyterian account for any thing I see. For the Ministers, finding their interest so faint at the election of Parliament-men, do what they can to uphold their cause.⁸

⁴ 'The bill brought with great zeal into the house of commons for passing the king's late declaration on ecclesiastical affairs into an act was thrown out last week, quashed by the violence of its promoters.' Nicholas to Bennet, 6 December 1660, *Cal. of State Papers*, Dom., 1660-1, p. 404.

⁵ *Continuation of Life*, ed. 1759, p. 189. See also pp. 16-7.

⁶ Morley to Hyde, 5 April 1660, *Clarendon State Papers*, iii. 722. (The dates given are old style, unless otherwise specified.)

⁷ Lady Willoughby to Hyde, 20 April 1660, *ibid.* p. 731.

⁸ Barwick to Hyde, 6 April 1660, *ibid.* iii. 723. Baxter on 4 April expressed to

Lady Bristol is cited for the statement that 'the Presbyterians are much troubled at the elections being so generally of the king's friends,' and are desirous of striking a bargain with Charles,⁹ while Montagu, telling Pepys news of the elections, said he believed 'that the Cavaliers have now the upper hand clear of the Presbyterians.'¹⁰

The remarkable unanimity of this testimony to the anti-presbyterian character of the returns is strengthened by reports from different parts of the country. Phillips wrote to the chancellor—

The elections in the Counties will justify the truth I have often asserted, which is, that the Presbyterian interest is comparatively inconsiderable, for there is not any where a Knight of a County chosen, reputed to be of that persuasion, without the concurrent desires of the King's party; and when that interest hath been slighted, the Presbyterian hath been most shamefully baffled, as in Essex, where the Earl of Warwick thought to carry it for Sir Harbottle Grimstone and one Mr. Raymond, by black coats and white caps, but they lost it twenty to one, and Mr. Brampton and Mr. Turner, men of great integrity and abilities, were chosen.¹¹

The former, John, afterwards Sir John, Bramston, who won a reputation early in the session for speaking 'desperately for episcopacie,' has left an account of this election in his autobiography. He says—

The countie of Essex, I mean the nobilitie (except the Earl of Warwick), the gentry generally, and much the greater part of the yeomanrie, chose myself and Mr. Edward Turner. . . All that had binn actiue as justices of the peace, committee men, sequestrators, &c. opposed, and the clergie men alsoe, the generalltie of which were in sequestred liuings, or in noe orders, not manie in Presbiterian orders. But the nobilitie and gentry laboured soe in the places where they liued, that they inclined the maior part of the freeholders . . . to make choice of men well affected to peace.¹²

From Yorkshire an ardent royalist churchman writes to a friend, 'Most of our burgesses are chosen, and though all our endeavours were used to the contrary, yet Luke Robi[n]son is returned

Thomas Bampfield his surprise that the latter seemed to think it possible that the approaching parliament would pass an act settling the laws upon a Scriptural basis. Bampfield replied on 16 April that he hoped that if it were presented then some future parliament might pass it. 'I shal acknowledge my expectations (as to what hands wee are like to fall under espetially if any measure may bee taken from the disposition of the most whether abroad or att home) doe promise nothing but a combination to extirpate those principles & persons which I desyre to bee confident the Lord will somm tyme vindicate' (Baxter MSS., Dr. Williams's library, Letters I., 258 seq. iv. 71, 157).

⁹ Samborne to Hyde, 11 April 1660, *ibid.* p. 726.

¹⁰ Pepys, *Diary*, 26 April.

¹¹ Phillips to Hyde, 20 April 1660, *Clarendon State Papers*, iii. 731.

¹² *Autobiography* (Camden Soc., 1845), pp. 114, 116.

burgess for Scarborough, upon Vice-Admiral Lawson's account ; but a very wise man saith we shall not have above three scabbed sheep in our flock.' ¹³ From Shropshire Thomas Gilbert, a Calvinist divine, wrote to Thurloe, advising him not to stand for burgess at Bridgnorth, even though he has Monk's recommendation.

Never was stone more impetuously hurried downward by the inward pressure of its own natural weight, and the foreign impressed force of the strongest hand, than the seven-fold greater part of Bridgnorth are by the native bent of their own inclination, and over-powerfull sway of their great landlords, meeting together, irresistibly carried on to an high cavalier choyce of both their burgesses. . . . Such a spirit is there set up, and so active in Bridgnorth, and even this whole county, that I am verily afraid there will scarcely bee on (*sic*) either knight or burgess chosen amongst us, that is not a very high royalist.

In fear of 'that parliament, which is so dreadfull to the sober, godly people in the nation,' the writer announces his intention of seeking a chaplainship which will take him out of England.¹⁴ In and about London then, and in Shropshire and Yorkshire, the elections were not royalist merely, but anti-presbyterian.¹⁵ It is reasonable to assume that, representing as they do widely separated districts, these elections to some extent at least indicate the situation in the country surrounding those districts, and therefore throughout England.

Elections so overwhelmingly royalist could hardly have been made without in many cases violating the qualifications laid down by the Long Parliament, which excluded all men, and the sons of all men, who had taken part in any war against the parliament since January 1641-2, unless they had since shown themselves well affected to the government. We have Clarendon's statement that these qualifications were not always observed, and Price puts it more strongly, saying that they were 'no more regarded than dead men's Shoes.'¹⁶ Phillips¹⁷ says that most of the members were of the king's party, 'notwithstanding all the Qualifications for their Elections,' and a passage given by Skinner is still more sweeping.¹⁸

¹³ Edward Gower to Sir Richard Leveson, 15 April 1660, Sutherland MSS., *Historical Manuscripts Commission, Report* v. 199.

¹⁴ Gilbert to Thurloe, 11 April 1660, *Thurloe Papers*, vii. 895. There is some doubt as to whether Thomas Gilbert was presbyterian or independent. See the *Dict. of Nat. Biogr.* s.v.

¹⁵ For evidence of royalist majority see *Clarendon State Papers*, iii. 726; *Thurloe Papers*, vii. 913; Carte, *Ormond Papers*, ii. 323, 326, 328.

¹⁶ *Mystery and Method of His Majesty's Happy Restauration* (London, 1680), p. 182.

¹⁷ Continuation of Baker's *Chronicle*, 1674, p. 722.

¹⁸ 'All this while the People were every where very busy in chusing the Members for the approaching Parliament; but with so little Regard to those Qualifications appointed by the former Assembly, that no Man ever took Notice of them. The Presbyterians were very industrious for the introducing again Men of their own Party;

The nearest approach to exact figures is made by the French ambassador, Bordeaux, who writes to Mazarin that there is talk of excluding from the house a hundred or six score who do not possess the qualifications, lest they be too violent for the king. A week later he says that Monk has consented to their admission without regard to qualifications, and that this has weakened the credit of the presbyterian party.¹⁹ If we accept the testimony of Bordeaux, whose information can usually be relied on, there was a body of more than one hundred members so well known as extreme royalists that they were feared by the presbyterian party. The fact that they were so known makes it probable that, in a large number of cases at least, it was they and not their fathers who had been active against the parliament; in other words, that they were old royalists, not young ones.

Now, one of the notable things about this parliament was the number of young men who sat there. Bordeaux observes that the votes of the young men will prevail in both houses. Later he writes that the old presbyterians are resolved to oppose Clarendon, and would have stipulated for his removal if the number of young men with whom both houses are filled had not made them lose heart.²⁰ It scarcely needs the knowledge of the young men's support of Hyde and his policy to assure us that the young men of the upper classes were prevailing Anglican and royalist in their sympathies. It was the natural result of the circumstances in which they had been growing up, and the whole history of the Restoration period is a commentary on the fact. That this was their attitude in the convention we shall presently see. What was the probable number of these young men? Of the 473 names given in the *Parliamentary History* as returned for this parliament 208 do not appear upon any earlier list, and 65 were first returned for Richard Cromwell's parliament.²¹ It does not seem an unwarrantable assumption to say that the greater number of these were young men, since they were now for the first time making their appearance in political life. Suppose we assume that not more than two thirds of them were young men holding Anglican views. During the session forty-eight new members were elected, and these would belong, as Clarendon intimates, to the anti-presbyterian

but were successfully prevented by the Royal Interest, which at this Time began to appear, yet with great Moderation and Temper. And the People (from the Memory of their past Miseries) were generally so averse to that Sort of Men, that few of them found their Way into this approaching Parliament' (Skinner, *Life of Monk*, 1724, p. 285).

¹⁹ Bordeaux to Mazarin, 8 and 10 May (N.S.), Guizot, *Histoire du Protectorat de Richard Cromwell*, ii. app., pp. 390, 395. See also *Hist. MSS. Comm.*, Report v. 149.

²⁰ Bordeaux to Mazarin, 10 May and 3 June (N.S.), *ubi supra*, pp. 395 and 407.

²¹ Cobbett, *Parliamentary History*, 1808, vols. ii-iv.

party.²² If we add those among the remainder whom we know to have been Anglican in their sympathies we have a majority without counting the hundred or six score who were elected contrary to the writs.²³ This conclusion, based upon conjecture and upon lists known to be incomplete, is only valuable when confirmed by evidence such as that cited above. That evidence indicates that the presbyterians were everywhere overwhelmingly defeated in the elections, and that the majority in the house was held by young men, whose sympathies were with Clarendon and his policy. Further confirmation is to be sought in the stand taken by parliament upon the religious question.

The choice of Sir Harbottle Grimston as Speaker has often been pointed out as conclusive evidence of the presbyterian character of the house. But the facts regarding his election will not support any such conclusion. Sir John Bramston writes—

In that Conuention the old Parliament men, Hollis, Perepoint, Annesley, Swinfin, and others of that gange, were too craftie for vs of other designes; for Mr. Finch, Twisden, Thurland, myselfe, and some others, intended my partner, Mr. Turner, to be Speaker . . . but ere wee got into the house, after the sermons in St. Margaret's church were ended, they were seated, (as they had contriued,) and Mr. Pearpoint had named Sir Harbotle [*sic*] Grimston for Speake'r, and they were conductinge him to the chaire before manie others were come into the House.²⁴

This account, which otherwise might be thought exaggerated by the representative of a disappointed faction, is supplemented by Mordaunt, who tells Hyde—

An irregular beginning is none of the best symptoms of so numerous a Convention. Mr. Hollis, Sir W. Lewis, and the General had lugged the Speaker to his Chair, before forty of the Members were entered the House, or before the House was called; for when they chose the Clerk, the names of the members were but just read. So many freaks appear already, that I fear we shall find high opposition, though we have five voices for one.²⁵

In the light of these statements the choice of Speaker is not indicative of a presbyterian majority in the house. On the contrary the election was secured by a device more likely to be employed by a party knowing itself to be numerically weak than by one possessing an undoubted majority.

Almost the first act of the convention was to invite the king's return, without insisting on the conditions for which the presbyterians had lately been so strenuous. This in itself does not

²² *Commons Journals*, vol. viii.; *Return of Members of Parliament*, 1660.

²³ It would scarcely be fair to count these, as many of them would probably fall under the heads already considered.

²⁴ *Autobiography*, p. 116 *seq.*

²⁵ Mordaunt to Hyde, 27 April 1660, *Clarendon State Papers*, iii. 784.

prove that the presbyterian cause was weak. There were important considerations which might well outweigh the religious question. Yet it seems strange that, if the presbyterians were dominant, there should not have been at least enough discussion of the subject to leave its mark on the records or correspondence of the time.²⁶ The house showed an apparent intention to proceed at once with the religious settlement, by its announcement in the second week of the session that among the measures proposed was an *Act for securing the Protestant Religion, and Encouragement and settling of the learned and pious Ministry, and both the Universities in order thereunto, with a due Care of tender Consciences*.²⁷ This bill was destined to remain in committee for a long time.²⁸ While the subject was in abeyance in the house it became more and more apparent, from the progress of events outside, that the old form of church government was coming back, and opposition from the presbyterian leaders was conciliated by a judicious distribution of places and preferments.²⁹ There was talk in the city of a petition to 'have the church settled according to the Covenant,' but the mention of the project in the house aroused opposition, and it was 'thought the house would not pass it.'³⁰ Early in July a bill for the Maintenance of the true reformed Protestant Religion was referred to a grand committee of the whole house, which was to meet every Monday. The outcome of two prolonged and heated debates in this committee was the decision to adjourn until 23 October, asking the king to call an assembly of divines during the recess;

²⁶ For the reception of Hale's proposition to demand terms similar to those of the Isle of Wight treaty see Burnet, i. 160 *seq.*; Ludlow, *Memoirs*, ed. 1894, ii. 268.

²⁷ The phrase 'with a due care of tender consciences' was added, by resolution of the house, to the bill as submitted by the committee, an evidence that the interest of the sectaries was not unregarded in the house. *Somers Tracts*, vii. 481; *Commons Journals*, 8 May.

²⁸ 'And so the Business was kept still at the Committee, now and then getting Ground, and then cast back again, as the sober Members attended; so that no Report was brought to the House from thence, which might have given the King some Trouble. And by Degrees the Heads of that Party grew weary of the Warmth of their Prosecution, which They saw not like to produce any notable Fruit that they cared for' (Clarendon, *Continuation of Life*, p. 189).

²⁹ Letters of James Sharp, in Wodrow, *Church of Scotland*, 1829, i. 28, 30, 33, 38-9, 42-6; and in *Lauderdale Papers*, i. (Camden Soc.) It is necessary to remember that Sharp was probably playing a part: see *Lauderdale Papers*, ii., introd. and app. C. It is noteworthy, however, that he writes early in June that parliament, 'for the majority, are ready to set up episcopacy to the height in matters ecclesiastical,' and again on the 21st, 'The parliament complain of his majesty's moderation, and that he does not press the settling all *sicut ante*' (Wodrow, pp. 39, 44). For royalist complaints of presbyterian favour see Sutherland MSS., *Hist. MSS. Comm.*, Report v. 154, 194, 201.

³⁰ Fleming MSS., *Hist. MSS. Comm.*, Report xii. part 7, p. 26; Sutherland MSS., *Hist. MSS. Comm.*, Report v. 204. It was evidently with reference to the discussion on this bill that James Sharp wrote, 'Some yesterday spoke in the House for Episcopacy, and Mr. Bainfield (*sic*), speaking against it, was hissed down' (Sharp to Douglas, 7 July 1660, Wodrow, p. 50).

a decision quite in accordance with the court policy of delay. 'That vote was confirmed in the House, but not without opposition.'³¹

An element in the religious settlement which could not so easily be postponed was the question of the ejected clergy. The day after Charles was proclaimed king a bill had been brought in *for establishing Ministers settled in Ecclesiastical Livings*.³² Regarding this one of the members wrote to Clarendon, 'We shall tomorrow and every day be perplexed with Bampffield and the Presbyterians in the Bill of Religion, who design to confirm all Ministers in their sequestered livings,' &c.³³ However, the matter rested until a few days before the king's arrival in London, when the complexion of affairs must have seemed less hopeful to the presbyterians, since Prynne reported an order 'touching quieting Possessions of Ministers, Schoolmasters, and other Ecclesiastical Persons, in sequestered Livings, until they are legally evicted.' This was referred to a committee for amendment, and reappeared the next day as an order that 'no Person or Persons, Ecclesiastical or Temporal, shall presume, indirectly or forcibly, to enter upon or disturb' property held by persons settled 'by Order of one or both Houses of Parliament, or other lawful or pretended Authority . . . till the Parliament take Order therein, or an Eviction be had by due Course of Law.' The house resolved that, with the omission of the word 'indirectly,' this be offered to the king as a proclamation, and it was accordingly issued by him on the first day of June.³⁴ The proclamation did not deter the Anglican clergy from returning to their livings, and loud were the protests of the puritan incumbents, now in their turn ejected.³⁵ A petition from some of these unfortunate men was presented to the house on 21 July. This was a matter upon which the presbyterian and independent interests agreed, yet on the division only 125 were in favour of having the petition read, while 106 were against it. The petition was finally referred to the committee on the bill concerning ministers' livings.³⁶

Upon this bill there was a long but inconclusive debate the following week. As no mention of other discussion of religious matters appears in the journals for this week it is probably with reference to this debate that Edward Gower wrote to a friend—

The only tug is betwixt Episcopacy and Presbytery ; the young men

³¹ *Commons Journals*, 27, 30 June, 2, 6, 20 July ; Cobbett, *Parliamentary History*, vol. iv., 9, 16 July ; Andrew Newport to Sir Richard Leveson, 21 July 1660, Sutherland MSS., *Hist. MSS. Comm.*, Report v. 155.

³² *Commons Journals*, 9 May.

³³ Broderick to Hyde, 10 May 1660, *Clarendon State Papers*, iii. 747.

³⁴ *Commons Journals*, 26, 28 May. For the proclamation see Thomason tracts, 669. f. 25, no. 86.

³⁵ Sharp to Douglas, 14 July, Wodrow, p. 51 ; Baxter, *Life*, bk. i. pt. ii. p. 241 ; Cosin, *Correspondence*, ii. 3-8 (Surtees Society, vol. 55).

³⁶ *Commons Journals*, 21, 25, 27, 30 July.

(though the old men who are generally presbyterians are more cunning) are careful not to be outvoted in this point, and though the Presbyterian would have the church settled in Parliament, the other party are resolved to put it off with delay, and by that means compass their design, which is to have it settled by a Synod, where things may be fairly canvassed, after the dissolution of this Parliament.³⁷

Here we have the old men represented as chiefly presbyterians and in opposition to the young men. It should be observed that it was not the presbyterian policy, but the policy of delay, which triumphed, for the bill went back to committee, there to remain for another fortnight.³⁸ On 6 August it was resolved that archbishops, bishops, and other clergy be restrained from making leases or grants of ecclesiastical lands until the house should have taken action upon the bill of sales. In connexion with this Gower writes—

Yesterday the House of Commons was very severe against the Bishops and made an order they should have no power to let leases. . . . Here is a complaint at Court that the young men absent themselves from the House, and by that means give the old men, who are most of them presbyterians, the advantage; nor pleasure nor profit ought to be thought of where business of such concern as this of church government and purchasers' estates are in debate.³⁹

Here again the young men appear as the party on which the court depends to prevent the presbyterians from gaining an advantage, and it is significant that this almost solitary case of a presbyterian gain is by implication attributed to the absence of the young men from the house. It does not make the explanation less probable to realise that the gain was more apparent than real, since the bill thus ordered, though reported, was never passed.⁴⁰

The discussion of amendments to the bill concerning ministers' livings extended over several weeks. One proposed amendment, which presbyterians and independents must have joined in opposing, since it would have affected many of the clergy of both parties, provided that 'such ministers as had constantly refused to administer the Sacrament . . . to persons neither scandalous nor ignorant, should not be confirmed in their livings,' even when the former incumbent was dead; it was lost by 127 votes against 148, a majority of only 21 for the combined forces of presbyterians and independents.⁴¹ The bill, as finally passed in September, allowed

³⁷ Edward Gower to Sir Richard Leveson, 4 August 1660, Sutherland MSS., *Hist. MSS. Comm., Report* v. 204. For the debate see *Parliamentary History*, 30 July.

³⁸ *Commons Journals*, 30 July.

³⁹ Gower to Leveson, 7 August 1660, Sutherland MSS., *Hist. MSS. Comm., Report* v. 204.

⁴⁰ *Commons Journals*, 6, 7, 10, 16 August.

⁴¹ *Trevelyan Papers*, iii. (Camden Soc., 1872), p. 287; *Commons Journals*, 21 August.

the clergy of the interregnum to retain their livings in cases where the former incumbent was dead, provided they were not anabaptists and had not been active against the king. In all other cases the ejected clergy were restored, unless proved scandalous or insufficient.⁴² Parliament was adjourned from 13 September till 6 November, and in the interval the king issued his famous *Declaration concerning Ecclesiastical Affairs*, a 'masterly bit of policy, pronouncing as his opinion that episcopacy was the best form of church government, but holding out to the presbyterians the fairest hopes of such concessions as should permit them to be comprehended within the bounds of the Established Church, and to the sectaries the probability of toleration outside its bounds.'⁴³

On the day of reassembling the house agreed, *nemine contradicente*, to go to the king in a body and thank him for his 'gracious and tender Care and Indulgence expressed to his People, in his late gracious Declaration concerning Ecclesiastical Affairs.' On a motion that steps be taken to turn the declaration into an act of parliament there was some debate, but a committee was finally appointed to frame such a bill.⁴⁴ The report of this committee was put off from day to day until the king had announced his intention of speedily dissolving parliament. On 24 November it was proposed that the committee report the following Tuesday. The house was divided on the question, and the motion was lost by a vote of 117 to 131.⁴⁵ A division on such a point indicates that there was some serious objection to considering the bill on the day in question, and it becomes clear what that objection was when we notice that it was the day set for the final debate on the settlement of the king's revenue. It was very important to the court that this matter should be speedily arranged, and it must have been evident to the presbyterians that they would be more likely to obtain concessions before the king should have become, in financial matters, independent of his parliament. The independents also, though they might not all approve of the proposed bill, were equally interested in having the religious question brought up, and would for the most part vote with the presbyterians. Consequently the triumph of the Anglicans, in a matter which probably came up unexpectedly, is a pretty decisive test of their strength.

The revenue bill was settled on the appointed day, and sent to

⁴² *Statutes of the Realm*, v. 242-6. There was a provision that the act should not apply to cases where the king had issued a grant between 1 May and 9 September.

⁴³ *Parliamentary History*, iv. 131-41.

⁴⁴ *Commons Journals* and *Parliamentary History*, 6 November. Incident to the debate there was a discussion as to the use of the Book of Common Prayer in the house, and a committee was instructed to ascertain the form that it had been customary for the house to use. The history of this committee is unrecorded.

⁴⁵ *Commons Journals*, 17, 21, 24 November.

committee to be put into its final form.⁴⁶ In the preceding week a report on the disbanding of the army had shown that this work was nearing completion, and nothing more was to be feared from insurrections in that quarter should the actions of king or parliament prove unpopular.⁴⁷ With these matters out of the way the reasons for postponing the religious settlement had vanished, and we are not surprised that the matter was allowed to come up next day.⁴⁸ The Lord's Day Bill and the bill against profanity were passed with practically no opposition, and then came the first reading of the *Bill for making the King's Majesty's Declaration touching Ecclesiastical Affairs effectual*. After a protracted debate the question was put whether the bill should be read a second time. At the division the vote stood 157 yeas to 183 noes; and thus, by 26 votes, the opportunity was lost for putting comprehension and toleration on a legal basis, instead of leaving them dependent 'on the word of a king.'⁴⁹ The size of the vote, which was one of the largest of the session, shows that both parties had mustered all their available forces. The position of the independents is indicated by a passage in a letter from an ardent royalist, who was not always strictly accurate, as his figures show, but whose information in the main tallies with fact. He writes, 'Yesterday the Bill was brought into the House to turn the King's Declaration concerning Church government and ceremonies into an Act; it induced the greatest dispute of any yet, and with much vehemency, but was thrown out, the house being divided, 158 being for the Bill, 180 for casting it out. The Presbiter strove as for life, and, which you will wonder at, some of the old commonwealth party joined with the Cavaliers.'⁵⁰ It is evident from this quotation that a majority of the independents voted with the presbyterians, and yet the presbyterians were decisively defeated. This was their last desperate effort. With

⁴⁶ *Commons Journals*, 27 November.

⁴⁷ *Ibid.* 28 November.

⁴⁸ 'There were two Particulars, which the King with much inward Impatience, though with little outward Communication, did most desire, the disbanding the Army, and the settling the Revenue' (Clarendon, *Continuation of Life*, p. 17).

⁴⁹ *Commons Journals and Parliamentary History*, 28 November. 'This work [disbanding the army] being accomplish'd, the Court began to take off the Mask: For tho' the King had published a declaration for accomodation in matters of publick worship and ceremonies, and tho' the episcopal party in the Convention had patiently permitted a Committee to be appointed to consider of that matter; yet being delivered from the terror of the army, they opposed the report of the committee with such violence, that it was not thought fit to press it any more: by which means all the hopes of the Presbyterians vanished, and this mountain brought forth a mouse' (Ludlow, *Memoirs*, ii. 326).

⁵⁰ 'When there was a Motion made in the House of Commons that it might pass into an Act, it was opposed by one of the Secretaries of State, which was reckoned a sufficient Indication of the King's Averseness to it' (Calamy's abridgment of Baxter's *Life*, vol. i. p. 181, note).

⁵¹ Thomas Gower to John Langley, 29 November 1660, Sutherland MSS., *Hist. MSS. Comm.*, Report v. 196. See also *ibid.* p. 158.

the failure of the bill their hopes perished, and no further attempt was made to settle the religious question in this parliament.

This, in brief, is what the presbyterians in the Convention Parliament accomplished for their cause. They brought in a bill for settling religion, and it was kept in committee for months, and finally stified there, although it was the presbyterian policy to settle the matter in parliament and the Anglican policy to leave it to a synod. When the question was discussed, the policy decided upon was always one of delay, although the presbyterian interest demanded a prompt settlement in the face of daily accessions to the Anglican party as a result of bye-elections. Attempts early in the session to have the clergy of the interregnum continued in their livings proved utterly abortive, even though the independent interest coincided with that of the presbyterians. The settlement was postponed until the restoration of the Anglican clergy was seen to be inevitable, and the only concession finally obtained was that, in cases where the Anglican incumbent was dead, a clergyman who had not meddled in politics might remain in possession if the king had not otherwise disposed of the living. When the king promised such modifications of episcopacy as should admit the presbyterians into the Established Church, the house enthusiastically thanked him, but within three weeks failed to assure the fulfilment of these promises by enacting his declaration into a law. The only definitely presbyterian measures which succeeded were the Lord's Day Bill and that against profanity, and the comparative unimportance of these measures, together with the circumstances under which they were passed, suggest that they represent a concession rather than a victory. Similar concessions appear in the votes to request the king to declare his opinion against Sabbath-breaking and profanity, and in the gratitude expressed for his promise to take care of worthy ministers, and for the Declaration so soon to become a dead letter.²¹ These actions could have no important results, and they probably were useful in keeping the presbyterians in a good humour.

Of the four divisions upon purely religious questions the two first were won by the combined presbyterian and independent interests; the first by a majority of 19 votes out of 281, the second by a majority of 21 out of 275. In the other two the churchmen triumphed by a majority of 14 votes out of 248 and by a majority of 26 out of 340. The first two divisions were on points which affected the presbyterian and independent clergy alike; consequently the independents must have voted with the presbyterians in a body, and thus ensured the defeat of the Anglican party. The other divisions took place several months later, when the accessions to the Anglican party were sufficiently numerous to counterbalance the independent support, which must still have

²¹ *Commons Journals*, 20 July, 4, 12 September, 6 November.

been in greater part given to the presbyterians, although we know that some went over to the other side.⁵² The closeness of the votes, therefore, is not an argument against an Anglican majority even at the beginning of the session, while it is a decided argument against a presbyterian majority.

From this examination of the facts it results that the presbyterians had at no time a clear majority in the lower house of the Convention Parliament. Only when they were supported by the independents were they able to hold their own against the Anglicans, and complete independent support could hardly have been hoped for when the choice lay between presbyterianism and Anglicanism.

LOUISE FARGO BROWN.

⁵² On the other hand Andrew Marvell, according to Grosart a loyal Church of England man, was in sympathy with the bill confirming the king's declaration, and probably voted for it (*Works*, ed. Grosart, vol. i. pp. xii-xiii ; vol. ii. p. 26. See also *Commons Journals*, 24 November).

Mary Bateson

THE name of Mary Bateson has been so familiar in the last seventeen volumes of this Review, and her work has added so notably to its reputation, that her sudden and untimely death has come to our contributors—even to those who were not acquainted with her—with the shock of a personal loss. Among the many letters which I have received day by day since 30 November hardly any has failed to give expression to this ; and I am sure that I am faithfully representing the opinion of our contributors when I say that since the death of our first two editors and of Lord Acton no loss has been more widely or deeply felt by them. It is right that in these pages I should begin by saying this ; for although Miss Bateson's work for us formed but a small part of her total production it was the Review, under the stimulus of Bishop Creighton, that started her on the lines of study which she afterwards pursued on a larger scale and with remarkable results.

The daughter of the late master of St. John's College, Cambridge, she was brought up in a household busy with the thoughts and plans of vigorous liberalism, and to these she remained devoted, with increasing intensity, as long as she lived. But here I must only refer in passing to the zeal with which she threw herself into public work, in particular for the promotion of anything that concerned the welfare of women. She entered Newnham College in 1884, just before Creighton went to Cambridge as professor of ecclesiastical history. He very soon discovered of what metal she was made, and to him she owed the influence which decided her career. As soon as she had taken her first class in the historical tripos his counsels led her to prepare herself for strict historical study. She was not to be the populariser of other people's work—an ambition which satisfies most of the historical teachers in our universities—but to do the work herself. She was to begin by a hard, dogged apprenticeship, transcribing her own materials. In this way she plunged into the records of the sixteenth century, and copied out the documents relative to the Pilgrimage of Grace which were printed in two numbers of our fifth volume. But this was only apprenticeship. Creighton's aim was to attach her to the middle ages, and to induce her to write a history of monasticism.

For this she made considerable collections, among which should be mentioned her papers on *Rules for Monks and Secular Canons* and *A Worcester Cathedral Book of Ecclesiastical Collections* in our ninth and tenth volumes, and the *Origin and Early History of Double Monasteries*, which appeared in the *Transactions of the Royal Historical Society* for 1899 (New Series, vol. xiii.), though mainly written some years earlier. But the book, so far as is known, never went further. Miss Bateson had in the meantime been attracted by economic history, and from that was led on to the study in which she attained pre-eminent distinction. On this subject I am permitted by the kindness of Professor James Tait to quote a statement which he has written at my request.

'As early as 1891 Miss Bateson collaborated with Professor Maitland in an edition of the borough charters of Cambridge, and some time later she undertook the far heavier task of calendar-ing the municipal records of Leicester. But until 1899, the year of the publication of the first volume of the calendar, there is no sign in her contributions to this Review that she was being diverted from ecclesiastical history to the studies in municipal origins which were to form the work of her life. Her long review of Meitzen's *Siedelung und Agrarwesen der Germanen* two years earlier showed indeed that she had become greatly interested in some cognate problems raised in Professor Maitland's *Domesday Book and Beyond*, published in that year. The review was professedly explanatory and appreciative rather than critical, but was marked by a thorough grasp of the questions involved and unobtrusively indicated the weak links in Meitzen's argument.

'The three volumes of the *Records of Leicester* which appeared in 1899, 1901, and 1905 at once took rank among the two or three really adequately edited collections of English municipal documents. The qualities that most attract attention are her power of rapid yet careful work and her clear appreciation of what is significant in almost bewildering masses of detail. Her introductions are models of lucid and orderly statement and throw much new light upon some controverted questions of the constitutional history of our English boroughs, as, for instance, upon the relations of the gild merchant to the ancient town authorities, where she modifies some of Dr. Gross's conclusions, and upon the real nature of the "oligarchical" changes of the fifteenth century.

'While she was still engaged upon the earlier stages of this historical analysis a casual suggestion of Professor Maitland's that the "Lex Bretonica" of the Preston custumal might conceal a reference to those customs of Breteuil which, Domesday records, were enjoyed by the burgesses of Rhuddlan in 1086 dropped a seed which germinated in the brilliant piece of historical synthesis which appeared in this Review in 1900-2 under the title of *The*

Laws of Breteuil. The idea that the "Britolium" which was the fruitful mother of the customs of so many boroughs in the west of England, Wales, and Ireland was not, as had always been supposed, Bristol, but the little Norman *bourg* of Breteuil, was indeed a fortunate inspiration, but the chief merit of the articles lies in the extraordinary industry and acuteness with which this clue was followed out. All Miss Bateson's subsequent work was coloured by the investigations which she made in working out the ramifications of this foreign influence. The wide acquaintance with English municipal custom, with connected or parallel foreign usage, and with the great continental literature of town origins which she thereby gained immensely widened her outlook upon the problems of urban growth. The isolation of borough law, its double character as archaic survival stereotyped by charters and customals, and, in a minor degree, as anticipation of statute law, were strongly impressed upon her. Working on these lines, and constantly extending her knowledge of the vast unprinted material of the subject, she produced for the Selden Society what is without doubt her most elaborate and mature work, the *Borough Customs*, of which the first volume appeared in 1904 and the second only a few months before her death. Such a scientifically arranged digest of a vast body of unclassified "custom" would in itself constitute a permanent claim to the gratitude of legal and historical students, but its value is doubled by the introductions, in which her unequalled knowledge of the comparative antiquities of the subject is brought to bear upon the elucidation of the obscurest problems of archaic law. In width of learning and grasp of legal subtleties it need not fear comparison with the best work of our most famous legal historians. The tale of Miss Bateson's contributions to municipal history would not be complete without a reference to the elaborate study in this Review of *A London Municipal Collection of the Reign of John* (1902), to the careful edition of the *Cambridge Gild Records* (1903), and the more recent discussion in this Review of the disputed interpretation of the passages in Domesday Book which connect burgesses of certain boroughs with rural manors. To her acquaintance with the later composition of the burgess body in towns like Leicester we owe the fruitful suggestion that some at least of these burgesses may have been what were afterwards known as foreign or out-burgesses, who enjoyed burghal privileges, though they did not reside in the town.'

On the *Borough Customs* I may add a few sentences from Professor Maitland.¹ 'I was astonished,' he says, 'at the diligence

¹ While these sheets are passing through the press I learn the grievous news that Dr. Maitland also is lost to us. Of what this loss means, something will be said in our

and zest with which Miss Bateson collected her materials (often hunting in quarters that few would have thought of), at the enormous amount of old law that she was content to read and master, at her vigorous grasp of big historical questions, at the sanity and sobriety of her judgment in note and comment, at her cheerful willingness to begin again if things were not to her liking, and above all perhaps at her energetic determination to make her book as true as it could be made within certain narrowly assigned limits of space and time. I do not know the man who both could and would have done so much and so well. She worked unselfishly for little pay and for little glory; but her work will live, and for a long time to come any one who writes about the history of our towns, or, indeed, about the growth of English law, will be bound to keep her book close at hand.¹

Work of such compass and fibre might seem more than enough for a short life of forty-one years. But Miss Bateson's energy was inexhaustible. At one time she turned to the Newcastle papers in the British Museum, and edited *A Narrative of the Changes in the Ministry, 1765-1767*, for the Camden Series of the Royal Historical Society (1898), besides writing, some years earlier, a delicious article on *Clerical Preferment under the Duke of Newcastle* in our seventh volume. At another she was persuaded by Lord Acton to write a chapter on *The French in Canada* for the *Cambridge Modern History*, vol. vii. (1903). A favourite study of hers was the history of medieval libraries, on which she spent much hard work. Her *Catalogue of the Library of Syon Monastery, Isleworth*, was published in 1898, and it was the fact of her occupation on this catalogue that led me to ask her to help me in the edition of John Bale's *Index Britanniae Scriptorum*, which we finished in 1902. How valuable her collaboration was, especially in the exploring of manuscripts at Cambridge and in the identification of early printed books, I have thankfully indicated in the preface. Miss Bateson also edited George Ashby's *Poems* for the Early English Text Society in 1899, and two volumes of records of the University of Cambridge for the years 1488-1544 (*Grace Book B*) for the Cambridge Antiquarian Society in 1903 and 1905. Lastly, in 1903 she wrote a volume on *Medieval England, 1066-1350*, which contains a brilliantly original sketch of English society and ranks quite by itself in the series of *The Story of the Nations*.

In early days Creighton used to be doubtful of Miss Bateson's power to acquire a good historical style, and it is true that she seldom made enough allowance for the limitations of her reader's

next number. Here I may mention that it was he whom I first begged to write the notice of Miss Bateson for this Review, but there was a reason which to his scrupulous mind made it inadvisable that he should do this; he had already written one for the *Athenæum* (8 December 1906).

¹ Quoted in the *Cambridge Review*, 6 December 1906, p. 136.

intelligence. She rushed through her sentences, and did not always take heed whether they would mean all she intended to those who were not so full of the subject as she was. There were the two dangers of assuming too much knowledge in the reader and of alluding, as though to familiar things, to facts with which perhaps only a very few people were properly acquainted. Some felt that she made a technical matter unnecessarily technical. It was also true that in her eagerness to complete any work she was at she did not always give herself time to add the finishing touches. But when she applied herself to a plain narrative she could be as direct and as telling as possible. Of this an excellent example may be found in her chapter on *The French in Canada* in the *Cambridge Modern History*, which I mention here only as a specimen of style, for I am not competent to express an opinion on the matter of a piece of work lying quite outside my own line of study.

Mrs. Creighton has been so good as to put together some notes about Miss Bateson, from which the following sentences may serve in some measure to show the impression which she made on old and tried friends:—‘The strong, straight purpose of her life is what strikes one on looking back at it. It was a genuine single-minded devotion to knowledge. She was absolutely humble about her own powers; no one would have gathered from talk with her that she was one of the best, if not the best, women historical students that England has ever produced. She did not care for her own fame; her one desire was to do good work. Her industry was unfailing. I remember my husband coming back from a brief visit to Cambridge once and saying, “It is splendid how Mary Bateson works. Some one said to me, ‘It is an example to every one to see her at work in the library.’” . . . It was a fine life, simple, strong, given to the pursuit of knowledge. Her big, generous nature was always ready to admire the work of others. There was never anything small or mean about her. As a friend she was absolutely loyal and faithful. She never changed.’ This is truly said. She was a real friend. No differences in matters of opinion stood in the way. Her kindness and her joyous spirit, no less than her vigorous intellect, will remain a gracious memory with those who knew her.

REGINALD L. POOLE.

Notes and Documents

The Malfosse at the Battle of Hastings.

THERE has been much difficulty as to the 'fosse disaster' or disasters at the battle of Hastings. No one authority gives more than one such disaster, but it is given at different stages of the battle, and half a dozen different ravines or supposed swamps have been suggested for Malfosse, scattered in every direction round Battle. The most likely explanation seems to be that there were two fosse disasters, one in the course of the battle and the other after it; but whether there was one earlier in the day or not, local evidence, most of which appears to have been overlooked, shows that 'Malfosse' lay west-north-west of the Abbey, well behind the ridge of battle, and that therefore the disaster in it happened, as the Abbey chronicler says it did, after the battle in the pursuit.¹ The place was 'still called Malfosse' when he wrote in 1180, but in later Abbey documents Manfosse. Sir Augustus Webster, the owner of Battle Abbey, points out that there is a strong likeness to Manfosse in the name of Mansey, now Manser's (pronounced Marnser's), which has survived as that of a shaw and fields on the west side of it, 800-900 yards north-west of the Abbey.² The original name was pronounced Malfosset—it is given in the manuscript as *Malfos sed*—and corruption was easy to Manfosse, [? Mansey], Mansey, and finally Manser's. Manser's Shaw lies along the 'gill' which starts³ from a spring 100 yards south of a point on the

¹ *Chron. Monast. de Bello*, p. 5 (Dugdale, *Monast.* iii. 240 b). The chronicle is confirmed by William of Jumièges, vii. 36.

² The shaw is the northern part of ordnance no. 1154, tithe no. 903 b. In the fields there has been some shifting of names. In 1588 (*Monast.* iii. 255) we have (1) Great Mansy 16 a, perhaps the big field (17 a) on the east of Manser's shaw; (2) Mansy 5 a, 'near the Butts'; (3) Little Mansy 5 a, *iuxta finem gardinorum*, which is the 'Manser's shaw field' of the estate map of 1811 and the tithe map (932 a), adjoining 'Hop-garden Field' (1811) and two other 'hop gardens,' tithe nos. 929, 931. This was Lower Mansey in 1724, but is now again Little Mansers (ordnance no. 1153). The present Great Mansers (8 a, ordnance no. 1152), 'Upper Mansey' in the estate map of 1724, is divided in that of 1811 (no. 67) into Great and Little Mansers, and probably included the 'Mansy near the Butts' of 1588.

³ The top of the gill for 100 yards above the shaw is shallow and does not show in the ordnance map.

Ashburnham road a little west of the drill hall and marked 294 feet in the one-inch ordnance map (close to the 296 feet of the six-inch map) and runs south for 500 yards till it meets, almost at a right angle, the western end of the ridge of battle.⁴

The identity of this gill with Malfosse is confirmed by documentary evidence. In 1240-80 there were 'nine acres called Wincestre Croft in Manfosse.'⁵ The name seems to be now quite lost, but Mr. M. A. Lower wrote in 1851, apparently on the authority of Mr. Vidler of Battle, that Wincestre Croft was then 'still known' and lay 'west by north of the town.'⁶ Moreover in a deed of 1332 it is associated with the north road and Domesdayland.⁷ Now Domesdayland is identified by the manor map of 1811. It lay near the north-western end of the town, just on the north side of the present Ashburnham road, opposite the head spring of the Manser's Shaw gill. Though north of the present road it was south of the old road; it lay near the pound, inside the semicircle inclosed at the back of the police station, between the bend of the old road and the newer piece of road on which the drill hall stands. The three miles of the Ashburnham and Lewes road nearest Battle, though to suit the ground they run east and west, are part of the old ridgeway through Heathfield and perhaps Crowborough, still known as the 'northtrade' or 'north road.'⁸ Another deed of 1322 granted 'lands formerly John atte Bure's lying . . . in breadth between the land called Domesdayeland on the north and the lands of P. and of R. M. on the south,'⁹ and the

⁴ Below this point the gill turns south-west into Sacristy, *vulgo* Sextry, Wood, called Saxon Wood in the six-inch ordnance survey map, which is in the ravine marked d in Freeman's map. Manser's Shaw is close to the western D of that map.

⁵ Thomas Thorpe's *Catal. of Battle Abbey Charters*, p. 81, no. 3, dated *circ.* 1240 by the witnesses (see p. 45), and p. 50, no. 4, dated 1279.

⁶ *Chron. of Battle Abbey*, pp. 6-7, note 12; *Sussex Arch. Soc.* vi. 28, 40. He does not go into detail. He seems to have missed the name of Manser's Shaw, for he wants to put Malfosse half a mile away in the valley of the Brede on the other (north) side of the ridge which carries the Ashburnham road.

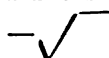
⁷ 'I give also two [crofts] called Northrode and a . . . croft called Caldebek and a croft called Wynchestrecroft with half a field called Domesdayelond,' &c. (Thorpe, *ubi supra*, p. 68, no. 7, but his abstract is very inaccurate. Mr. Fitzroy Fenwick has kindly furnished me with extracts from the original MSS. now at Thirlstaine House, Cheltenham). On p. 72, no. 4, we have Caldebek 'next to land of the Sacristy.' In the grant of 1538 (*Monast.* iii. 255) we have 'Caldbec meyde alias Sextens (Sacristan's) about 15 acres,' followed by 'Bencroft and Stewe meyde.' 'The Stews' and 'Bench Walk' are still the names of fields at the north end of Manser's Shaw, and 'Caldebek meyde' must apparently have been one of the two fields, now seventeen and twelve acres, on the east of Manser's Shaw, between that shaw and the High Street; there are two little rills of water there. It must have been another Caldebek which named Caldbec Hill, probably the spring between the windmill and Fuller's Farm. Duplication of descriptive names is common enough.

⁸ 'Northtrade' in the six-inch ordnance map of Battle (lvii. N.E.), 'North Road' in the estate map of 1724. Domesdayland lay below the figure 282 in Freeman's map; it was part of the ordnance no. 563.

⁹ Thorpe, *ubi supra*, p. 64, no. 4, but the abstract is again inaccurate.

lands therein granted probably covered the land 'in Manfosse,' rent from which was assigned to the abbot by John atte Bure in 1302.¹⁰

Taking all the evidence together, there can be no doubt that the part of the township named after Malfosse lay south of the Ashburnham road towards Manser's Shaw and that the original Malfosse was in Manser's Shaw gill. The gill is of this shape:

—, the eastern bank being very much higher and steeper than the western, which, except for a ditch at the bottom increasing gradually from 5 feet deep at the top of the shaw to 12 or 15 feet 400 yards lower down, slopes pretty gently up the hill. The term 'agger,' therefore, used by William of Jumièges,¹¹ though he is not likely to have known the ground himself, is not altogether unsuitable, at least at the top of the shaw. The actual point of the disaster seems likely to have been at this northern end of the shaw. The accounts imply something of a trap. Now above the end of the shaw the head of the gill is shallow, but just where it enters the shaw the eastern bank increases in height very rapidly to 15 or 20 feet and is pretty steep. The lie of the ground is such that in a failing light the Normans, galloping from the south-east to cut off the English fleeing along the ridgeway—the later 'north road'—by which Harold had probably come from London, might not notice this change, especially if some of the fugitives were seen to cross without difficulty the shallower part of the gill just above.¹² The trees and underwood of the present shaw are of course modern; ¹³ in 1066 probably the sides of the gill both above and below this point were for the most part clothed with rough grass and brambles mixed with some bushes. Where the gill is deeper it is less of a trap; the ravine of Sextry Wood cannot be called a trap at all.

The position of Malfosse shows that at least a large part of the English fled to the north-west along the 'north road' ridgeway. If it had been by attacks on their right from the west along the line of the hill, where the ground was no doubt most favourable to the attack, that the defence of the English was ultimately broken down, they would probably have been cut off from this line of retreat to the north-west and driven north-east towards Little Park. The final blows appear therefore to have been struck, not on their right, but against their centre or to the east of it. This agrees with such indication as we have in the authorities. The manœuvre of the feigned flight seems to have been carried out by

¹⁰ Thorpe's *Catal. of Battle Abbey Charters*, p. 55, no. 2.

¹¹ 'Crescentes herbae antiquum aggerem tegebant' (vii. 36).

¹² This is suggested by William of Malmesbury, if it is Malfosse that he introduces rather vaguely after the feigned flight.

¹³ Even in 1724 the estate map shows between Mansey Shaw and Sextry Wood a considerable gap, now filled up with trees.

William's right or right centre, for a special part in cutting off the English pursuers is assigned by Guy to the *Galli*, who were on the right wing, and by Wace to one of the French mercenaries on that wing and to Robert de Montgomeri, who he says commanded it.¹⁴ On this side too the ground is most suitable to such a manœuvre.¹⁵ The feigned flight being on the eastern side it would be the eastern half of the English line which was weakened by the stratagem and which therefore invited attack. It may be added that the three lords who are named by Guy with Eustace of Boulogne as being specially concerned in Harold's death all came from the east—from Ponthieu by Amiens, Bolbec (Giffard) by Havre, and Montfort by Pont Audemer. The arrangement of the Norman line being geographical, they were presumably on the east of the centre.

F. H. BARING. *

A Contemporary Description of the Domesday Survey.

A TRACT dealing with the date of the Crucifixion and of the Incarnation is hardly the work in which one would expect to find a description of the Great Survey of William the Conqueror; consequently the interesting passage printed below has escaped the notice of historical students. It is taken from an unprinted work entitled *Exce[r]ptio Rodberti Herefordensis Episcopi de Chronica Mariniani*, of which two copies are preserved in the Bodleian Library.¹ The work was known to William of Malmesbury, who tells us that Robert Losinga, the learned Lorrainer who filled the see of Hereford from 29 December 1079 until his death on 26 June 1095, caused the work of Marianus Scotus, which he greatly admired, to be brought to England, and that he made an abridgment of it, of which the great Malmesbury historian speaks with enthusiasm.²

¹⁴ *Roman de Rou*, 7678, 8205, 8261, 8305, 8319 'un soldeier de France.'

¹⁵ Sir James Ramsay, *Foundations of England*, ii. 32.

¹ It is described by this title in MS. A (Auct. F. 3, 14), but in the table of contents it appears as *Liber Rotberti Hereforde episcopi de annis Domini*. In MS. B (Auct. F. 5, 19) no title occurs.

² *Gesta Pontificum*, § 164 (p. 300): 'Non multo post accepit sedem illam [sc. Herefordensem] Rotbertus Lotharingus . . . omnium liberalium artium peritissimus, abacum præcipue et lunarem compotum et caelestium cursum astrorum rimatus. Erat tunc temporis Marimanus (sic) monachus apud Magontiam inclusus, qui longo solitudinis otio chronographos scrutatus, dissonantiam ciclorum Dionisii Exigui contra evangelicam veritatem vel primus vel solus animadvertit. Itaque ab initio seculi annos singulos recensens, xxⁱⁱ annos, qui circulis prædictis deerant, superaddidit, magnam et diffusissimam cronicam facere adorsus. Eum librum Robertus miratus unice, emulatus mirifice, Angliæ invehendum curavit. Denique captus Marimani ingenio, quicquid ille largius dixerat in artum contrahens defloravit adeo splendide, ut magis valere videatur defloratio quam ingentis illius voluminis diffusio.' From the erroneous

Marianus Scotus (1028–1082), an Irish monk who died at Mainz after living as a recluse at Fulda, was the author of a well-known chronicle from the Creation to his own time. In the prologue to this he came to the conclusion that the current era of the Incarnation, which was established by the sixth-century Easter tables of Dionysius Exiguus, was twenty-two years too late. Marianus described his new era as *anni secundum evangelium, anni secundum evangelicam veritatem*, or simply *anni evangelici*. The Dionysian era was, however, so well established that Marianus found few followers.³ The work of Bishop Robert, who was, according to Malmesbury, an accomplished chronologist, does not consist, as the title above implies, of excerpts from the chronicle of Marianus, but is an expansion of Marianus's objections to the accuracy of the Dionysian era, which he added at the beginning of his chronicle to the letter of Dionysius to Bishop Patronus *de ratione Paschali*.⁴ Malmesbury records that Robert was an intimate friend of St. Wulfstan, bishop of Worcester from 8 September 1062 to 18 January 1095, and he relates a pleasing story, recorded also by Florence of Worcester, of the apparition of Wulfstan soon after his death to Robert, warning him that his time on earth was short.

The reference to the Domesday Survey occurs in the seventh of the twenty-four chapters of Robert's tract. The whole of the chapter is subjoined.

[MS. A, fo. 137 ; MS. B, fo. 5 verso]

VII⁵. Ut autem per cognitionem feriae, lunae, et kalendae, quae fuit (*sic*) in Passione⁶ et Resurrectione Domini annorum Incarnationis summam facile comprehendas, scito quod post Incarnationem duo magni cicli sunt revoluti et tertii incepta revolutio, cuius xxiii.⁷ annus est hic, in⁸ quo modo sumus, qui est secundum Dionisium annus ab Incarnatione m.lxxxvi, Indictione ix.

Quia igitur magnus ciclus dxxxii. annis constat, duae revolutiones habent in se m.lxiii. annos ; adiectis autem xxiii., qui in praesenti de tertia revolutione⁹ repleti¹⁰ sunt, fiunt anni mille lxxxvii., et habes

statement that Robert abridged Marianus it is evident that William was not acquainted with the latter's work. If he had read the short essay of Marianus, he would have learnt that the acute Bede had detected the disagreement of Dionysius's cycles with the indications, as they were then explained, given by the evangelists.

³ As William of Malmesbury, *Gesta Regum*, § 292 (p. 345), remarked. In this passage he censures the torpor of the learned men of his day, which made them impermeable to new ideas, in such a way as to suggest that he himself was an adherent of Marianus, a view for which some support may be found in the preceding quotation from his *Gesta Pontificum*.

⁴ Marianus's argument is given at the commencement of the late eleventh-century MS. of his chronicle in the British Museum, Cotton, MS. Nero C. v., and in the Bury St. Edmunds copy, a late twelfth-century MS., with the additions of Florence of Worcester (MS. Bodl. 297, p. 94).

⁵ VI., B.

⁶ om., B.

⁷ impassione, A.

⁸ involutione, A.

⁹ xliii., A.

¹⁰ impleti, B.

unum annum plus quam numero¹¹ Incarnationis iuxta Dionisium. Unus ergo annus in initio auferatur de primo ciclo magno, et invenitur Dominica nativitas secundum Dionisium in secundo anno cycli magni. Requisita autem in xxxiiii. anno ab illo xiiii. luna, in qua Dominus ad vesperam cum discipulis suis cenavit, invenitur in die Dominica xii. kal. April[es], resurrectio vero v. kal. April[es]. Sed quia auctoritas non patitur euangelica et aecclesiastica¹² Dominum in hoc anno fuisse passum, necesse¹³ est in¹⁴ alio passionem querere, et annorum Dominicorum fideliores summam invenire. Vade ergo retro computando ab isto anno usque ad xxiii., ubi sunt concurrentes v, et invenies ibi feriam, lunam, et kalendam Cenae Dominicae, Passionis, et Resurrectionis auctoritatibus sacris euangelistarum, Hieronimi,¹⁵ Augustini, et aliorum doctorum per omnia concordare, quia hic est procul dubio annus Passionis et Resurrectionis Dominicae. Et cum annus iste xiii. sit magni cycli, oportet Incarnationem in fine cycli precedentis requirere, infra ipsum videlicet cyclum anno xxi^o, qui ad xiii. iuncti faciunt annos xxxiiii. In xxx^{mo} iii^{to} anno a nativitate sua, ut inferius ostendetur, passus est Dominus et resurrexit.¹⁶ Nunc ergo¹⁷ si annos verae Incarnationis vis invenire, considera in duobus magnis cyclis, qui post Incarnationem revoluti sunt, m.lxiii. annos, adiectisque annis xxi (tantum enim, ut ostensum est, Incarnatio de precedenti ciclo habuit) fiunt anni m.lxxxv,¹⁸ quibus, si xxiii. annos, qui de presenti magno ciclo impleti sunt, adieceris, fiunt m.c.viii. anni in anno presenti, qui secundum Dionisium pronuntiatur annus millesimus lxxx^{mus} vi^{tus}¹⁹ Incarnationis, contra iii.²⁰ euangelistas caeterosque doctores.

²¹ Hic est annus xx^{mus} Uuilelmi, Regis Anglorum, quo iubente hoc anno totius Angliae facta est descriptio in agris singularum provinciarum, in possessionibus singulorum procerum, in agris eorum, in mansionibus, in hominibus, tam servis quam liberis, tam in tuguria tantum habitantibus,²² quam in domos et agros possidentibus, in carrucis, in equis, et caeteris animalibus, in servitio et censu totius terrae omnium. Alii inquisitores post alios, et ignoti ad ignotas mittebantur provincias, ut alii aliorum descriptionem reprehenderent et regi eos²³ reos constituerent. Et vexata est terra multis cladibus ex congregatione regalis pecuniae procedentibus.²⁴

For the understanding of this passage it is, perhaps, necessary to explain that the calculations of Marianus are based upon the views then accepted that the Last Supper occurred on a Thursday; that this was the day of the Jewish Passover, which was determined by the day upon which the first full moon after the vernal equinox fell, that is, on the fourteenth day, usually described as Luna xiv; that the day of the Crucifixion was Friday, Luna xv, that this was the fifteenth of the Jewish first month

¹¹ numerus, A, B.¹² aeccleseaistica, A.¹³ nec esse, A.¹⁴ ab, B.¹⁵ Iero., B.¹⁶ resurre duabus litteris erasis, B.¹⁷ vero, B.¹⁸ m.lxxx, A.¹⁹ v^{to}, A.²⁰ om., A.²¹ VII. (sc. caput), B.²² habentibus, B.²³ om. (per homoeoteleuton), B.²⁴ pre-, A.

(Nisan); and that the Resurrection was on the Sunday following. Marianus then shows that in the year of the Passion, the thirty-fourth year of the Dionysian era (Christ being held to be thirty-three years of age), the fourteenth day of the Paschal moon fell upon Sunday, 21 March, and, consequently, the Resurrection would be on Sunday, 28 March. These dates are, as he says, impossible. He therefore goes back from the thirty-fourth to the twenty-third preceding year (i.e. to the twelfth year), and finds that in that year the calendar fulfils all the requirements. This, he concludes, is therefore the year of the Passion, and, as it was the thirteenth year of the great cycle (since the birth of Christ was placed in the second year by the Dionysian tables), the Incarnation must be looked for in the twenty-first year before the end of the preceding great cycle ($13 + 21 = 34$). So far Robert repeats the argument of Marianus. He then takes the two great cycles, $532 \times 2 = 1064$, adds the twenty-one years borrowed from the preceding cycle, $1064 + 21 = 1085$, and finally adds the twenty-three years that had elapsed (or all but elapsed) of the cycle current at the time of writing. He thus arrives at 1108 as the *annus secundum evangelistas* in which he wrote. This is, he tells us, the year 1086 of the Dionysian era (owing to the difference between 34 and 12). In his final chapter he tells us that the year in which he wrote was the twenty-third of the eleventh great cycle from the beginning of the world, which again points to 1086.²⁵

Thus we have most clear and unmistakable statements that the work was composed in 1086, and a definite statement that the Domesday Survey was taken in that year. This strongly supports the evidence of the Peterborough Chronicle and of the second volume of the Domesday Book that the year of the Survey was 1086, and should dispel all doubts as to whether that was the year of the actual survey or merely of the codification of the returns. The passage corroborates the statement of the Peterborough chronicler that even domestic animals were included in the returns, a statement that has been needlessly impugned. The *tuguria tantum habitantes*, who are contrasted with the *domos et agros possidentes*, are the *bordarii* or the *coscez*, *cozets*, *cozez* (Norman plurals of O.E. **cot-sæta*, 'dweller in a cot'), *cottarii*, *cotmanni* (representing an O.E. **cot-man*) of the Survey. But the greatest addition to our knowledge of the Survey is the statement that there was a rigorous checking of the returns of the first inquisitors by others, and that persons were sent into districts of which they were entirely ignorant in order to criticise adversely the 'description' of others and to

²⁵ Moreover Bishop Robert states in the final chapter that in the year in which he wrote 5,290 years had elapsed from Adam. As Marianus under 1078 states that that year was 5280 from Adam, it is obvious that Robert, who adopts the chronology of Marianus, is again referring to the year 1086.

denounce them as guilty to the king. It is noteworthy that Robert speaks of the returns as 'description,' which one might almost call the contemporary official name for the Survey. In the interesting record in Heming's chartulary²⁶ we learn that the Domesday commissioners for Worcestershire, with the co-operation of Bishop Wulfstan, the diocesan, put the shire-moot upon its oath as to the particular return preserved by Heming. There it is also recorded that the four commissioners (one of whom was Remigius, the bishop of the adjoining see of Lincoln) were appointed to inquire concerning and to describe estates in Worcestershire and in many other counties. In some, at all events, of these counties the commissioners were probably as ignorant as Bishop Robert alleges the *inquisitores* to have been. He is, no doubt, speaking from his own experience, perhaps aided by that of Bishop Wulfstan, and it is easy to conceive that, as he states, the country was disturbed by this exaction of money for the king, for the year must have been fully occupied with the proceedings of hundred courts, shire moots, and the royal commissioners in connexion with William's exhaustive 'description' of England.

William of Malmesbury records, as we have seen, that Bishop Robert caused the work of Marianus Scotus to be brought to England. Owing, no doubt, to Robert's intimacy with Bishop Wulfstan a copy of it reached Worcester, where it formed the basis of the well-known chronicle of Florence of Worcester, who died in 1118. Florence's work was at first simply the addition of notices of events in English history to the text of Marianus, but after the end of the chronicle of Marianus he became an independent author. Ordericus Vitalis records that John (by whom he seems to mean Florence), a monk of Worcester, commenced his work by order of Bishop Wulfstan,²⁷ and therefore before Wulfstan's death on 18 January 1095. It was in all probability commenced after the consecration of Bishop Robert (29 December 1079), since Wulfstan must have derived his knowledge, and probably his copy, of Marianus from him. But, as Robert wrote the tract from which the extract given above is derived in 1086, it is probable that his introduction of Marianus into England was then very recent. The copy of the work introduced into England by him seems to have contained Marianus's latest additions, which end in 1082. This copy is possibly the British Museum Cottonian MS. Nero C. v.,

²⁶ Ed. Hearne, i. 287.

²⁷ *Hist. Eccles.* iii. c. 15 (ed. Delisle, ii. 159), written, according to Delisle, before 1124: 'Ioannes Wigornensis, a puero monachus, natione Anglicus, moribus et eruditione venerandus, in his, quae Mariani Scoti chronicis adiecit, de rege Guillelmo et de rebus, quae sub eo vel sub filiis eius, Guillelmo Rufo et Henrico, usque hodie contigerunt, honeste deprompsit. . . . Quem (sc. Marianum) persecutus Iohannes acta fere centum annorum contexit iussuque venerabilis Wlfstani, pontificis et monachi, supradictis chronicis inseruit.'

which probably came from Worcester.²⁸ Florence (or John) might be considered a contemporary authority for the latter part of the Conqueror's reign, since the work was commenced, or ordered to be commenced, before 1095. But it would seem that Florence's account of the year 1086 was not written down in that year, for the description of the Domesday Survey winds up with Bishop Robert's final sentence, so modified as to omit the reflexion upon the king's greed: *et vexata est terra multis cladibus inde procedentibus*.

But Florence did not take this directly from Bishop Robert's tract. An inspection of the Cottonian MS. of Marianus brings out the interesting fact that Florence based his frequently quoted description of the taking of the Domesday Survey upon the entry in that manuscript under 1086, which may be cited as another contemporary account of the Survey. The passage which occurs at fo. 158 *verso*, is as follows:—

Wilelmus, rex Anglorum, fecit describi omnes totius Angliae possessiones in agris, in hominibus, in animalibus omnibus, in omnibus mansionibus a maiori usque ad minimam, et in omni censu, qui ex omnium terris possit reddi, et vexata est terra multis cladibus inde procedentibus.

This, as the final sentence shows, is founded upon Bishop Robert's description. We add Florence's words for comparison, italicising the words borrowed from the Cottonian MS.

Willelmus rex fecit describi omnem Angliam, quantum terrae quisque baronum suorum possidebat, quot feudatos milites, quot carrucas, quot villanos, quot animalia, immo quantum vivae pecuniae quisque possidebat in omni regno suo, a maximo usque ad minimum, et quantum redditus quaeque possessio reddere poterat, et vexata est terra multis cladibus inde procedentibus.

Thus, unless Florence was the author of the addition to the Cottonian MS., it is evident that his entry relating to 1086 is not,

²⁸ Pertz, *M.G.H., Scriptores*, v. 492, concluded that Florence followed this MS. or one closely resembling it. This MS. has a continuation from 1082, the end of Marianus, to 1087, which is added in different ink and apparently a different hand. It is printed in Pertz, v. 563. The MS. originally finished in 1082, which was followed by blank spaces with year numbers down to 1100, into which the entry for 1086 quoted in the text has been squeezed with difficulty. Pertz ascribed this MS. to the end of the eleventh century, and the 1086 entry seems to be a contemporary one, as is also that for the following year, which records the death of William the Conqueror. The MS. has a marginal addition to the decemnovenarian cycle under the place corresponding to 1095 (fo. 19 *verso*), 'xiii. Ob[ierunt] Wlstanus et Rodb[ertus] ep[iscopu]. The Bury copy of Marianus-Florence (MS. Bodl. 297) has a similar note, 'xiii. Ob[ierunt] Wlstanus Uuigornensis et Rotbertus Herefordensis episcopi.' The Cottonian MS. has another Worcester note under 1043 (fo. 26 *recto*), 'xviii. Ordinatio Wlstanu episcopi.' As will be shown there are strong grounds for believing that Florence copied from this MS. At the end of the chronicle of Marianus (fo. 160 *recto*) the following names are written in a very early twelfth-century hand: 'Gosfridus filius Rotgeri, Godefridus, Orgarus, Suetinus, Wluuinus faber, Golduinus, Hugo, Herluinus, Seuuardus presbyter, Alverius, Rotgerus, Crispinus.' I have not been able to connect these names, six of which are native English ones, with either Hereford or Worcester.

strictly speaking, a contemporary production, but one compiled from this description by the continuator of Marianus and the articles of inquiry of the Domesday commissioners, of which we have an echo in the *quot carrucas, quot villanos*. Possibly this continuator was Robert himself.

Whatever may have been the relationship between Robert and Florence it is certain that the latter's work was a consequence of Robert's introduction into England of the work of Marianus. It is noteworthy that the only other chronicle in which the Marianan era found recognition was the world chronicle of the Flemish Sigebert of Gemblours (died 1112), who was thus a contemporary and almost a neighbour of Robert in his native Lorraine.

Two copies of Bishop Robert's tract are preserved in the Bodleian Library. One of these, Auct. F. 5, 19 (*olim* MS. Bodl. 70), here cited as B, calls for but brief notice. It occurs in a little collection of computistic works in a volume of small octavo size, in a comparatively modern leather binding, written in a twelfth-century hand. The other copy, Auct. F. 3, 14 (*olim* MS. Bodl. 594), here cited as A, is somewhat older, and is of far greater interest. This manuscript, a more complete collection of computistic works, is in shape small quarto, bound in oak boards covered with white leather, with marks of the clasps by which it was chained in the library to which it originally belonged. This seems to have been that of the monastery of Malmesbury. The manuscript is written in several hands. One of them has a somewhat curious feature that it shares with one of the hands of the Selden MS. B. 16, a collection of historical and legal writings, including William of Malmesbury's abridgment of the chronicle of Haimo of Fleury in what N. E. S. A. Hamilton²⁹ recognised as William's handwriting, a hand in which other parts of the volume are written. The peculiarity referred to, which does not occur in the beautiful and compressed hand of the Selden manuscript identified as William's, is that of greatly exaggerating the loop at the bottom of the letter *g* when it occurs in the last line of a page, the loop, instead of rejoining the

²⁹ In his edition of Malmesbury's *Gesta Pontificum*, p. x, note 21. Here it may be noted that at fo. 73 of MS. A the words *Vox Willelmi* are written over the following editorial note at the commencement of the text transcribed: 'Sequentes decem libros de gestis Romanorum Eutropius ad Valentem Imperatorem edidit. Quibusque Paulus, Montis Cassinensis monachus, multa adiecit. Curae nobis fuit nomina eorum separatim ponere, ut quid a quo dictum sit, lector possit intelligere. Sequentes etiam quinque libros usque ad Iustinianum idem Paulus ex pluribus auctoribus, et maxime Orosio et Iordane, contexuit, sicut in margine annotare curabimus. *Paulo autem sicut Orosium praeposuvimus, ita Iordanem subiecimus, ut ex utroque latere habeat lector integros, quos iste putavit deflorandos. A Iustiniano autem usque ad Ludovicum collegit Haimo, monachus Floriacensis.*' The words *Vox Willelmi* are written in the same hand and ink as the lines italicised above, which are an addition written after the following rubric had been inserted. The italicised lines are in the hand identified as that of William of Malmesbury, and we have here an instance in which he calls himself simply *Willelmus* in a note added to a transcript by another hand.

upper part of the letter, being left open on the left side, so as to form a bow attached on the right side to the upper part of the letter. The diagonal stroke that should unite the end of the loop with the upper part of the letter is represented by an arrow. In the Selden manuscript this feature occurs more frequently, but is not depicted in the same way, and is obviously the work of another scribe.

This peculiarity is not, perhaps, a strong ground for connecting the manuscript with the monastery of Malmesbury. But the table of contents at the beginning of the volume, written in a very neat hand of the early part of the twelfth century, suggests that the manuscript was connected not merely with this monastery, but with its famous historian. The table of contents begins with these rhymed hexameters :

Aec[c]lesiae codex multarum materiarum,
Sicut ager plenus variarum deliciarum,
Willelmi nomen faciet post funera clarum.

The name of *Willelmus, monachus Malmesberiensis*, occurs in the verses in the Lambeth MS. 224, which is, according to Hamilton,³⁰ an autograph work. The Bodleian manuscript under consideration is simply a transcript of various well-known works, and the claim of the William of its verses to posthumous fame must, unless he be known elsewhere as an author, rest merely upon the transcription, or upon the supervision of the transcription, of the works of others. The hand in which the verses and the table of contents are written is not the small compressed hand ascribed to William of Malmesbury, and the assumption that it is a large, titling hand will not explain the difference in character. Apart from the name of William some ground for connecting the manuscript with William of Malmesbury may be found in the numerous monograms of the word *nota*, written in the margins. There is some little variety in size and arrangement in these monograms, but they agree, even in their variety, with the similar monograms in the margins of the Selden manuscript and seem to be the product of the same hand. Those occurring in the Magdalen College, Oxford, manuscript of William of Malmesbury's *Gesta Pontificum*, which Hamilton maintained was the author's working copy, are, as represented in the facsimile in his edition, differently formed, the *o* being in the centre of the cross bar of the *n*, whereas in the Bodleian and Selden manuscripts it surmounts the first upright stroke of the latter letter.

There are still further indications of the connexion of this manuscript with the monastery of Malmesbury. The tract of Bishop Robert is preceded by a complete set (twenty-eight) of decemnovena-

³⁰ *Gesta Pontificum*, p. xii, note 1. See Palaeographical Society, series ii. plate 192.

lian cycles, which are reproduced from the chronicle of Marianus Scotus. That this position is not due to any later rebinding is proved by the fact that the table of contents of Robert's work is written on both sides of the last leaf of the gathering containing the cycles. These latter record the age of the moon at Septuagesima, Lent, Easter, and Whitsunday in each of the nineteen years of the lunar cycle. The twenty-eight formed the great or Paschal cycle referred to above. After the completion of the 532 years covered by these twenty-eight decemnovenalian cycles the series of the latter began with the first and proceeded through the twenty-eight again. As in the tables the years of these cycles were numbered in the margin from one to nineteen they were early used to record historical events. To convert these records into the years of the Incarnation it was necessary to know the year of the Incarnation corresponding to the first year of the particular cycle, and to add the Incarnation year to the number (minus one) in the margin of the table against which a given annal was written. After the completion of the first great cycle, in 531, it became necessary also to know whether the annal belonged to the first or second great cycle. With 1064 the third great cycle began. At the commencement Marianus gives the years of the Incarnation in each of the three great cycles corresponding to the first year of each great cycle.³¹ He also supplies at the head of each of the decemnovenalian cycles the Incarnation year corresponding to its first year. For example, he gives the first year of the third cycle as A.D. 38, A.D. 570, A.D. 1102 in the first, second, and third great cycles respectively. Annals relating to the first great cycle he wrote on the left margin of the tables, those of the second on the right, which also contains those of the third, distinguished by a prefixed Γ. His entries relate principally to the succession of popes and emperors,³² and they have been duly copied by the scribe of the Bodleian manuscript containing Bishop Robert's tract. To these are added in this manuscript, in several hands of the early part of the twelfth century, notes of events, which are, owing to the exigencies of space, crowded, interlined, and added to.

As these annals are few in number I subjoin them, adding within parentheses the year of the Incarnation represented by the position of the cycle and the number of the year in it. The prefixed gamma is omitted here. At the ends of the annals I have added references to William of Malmesbury's *Gesta Regum* and *Gesta Pontificum*, which are indicated by their initials. Where there is an agreement in wording with his writings I have italicised the words that agree.

³¹ These notes are printed in Pertz, *Scriptores*, v. 488. Marianus also gives in the body of his chronicle notes under the particular years of the commencement of each of the great and of the decemnovenalian cycles.

³² Printed by Pertz from the year 913, *ibid.*

Considering the rhetorical nature of William's style and the brevity of the annals, many such agreements are not to be expected.

First Decemnovenalian Cycle, 1064–1082 (fo. 120b recto).

- (1066) iii. Regis Uuillelmi adventus in Angliam.
 (1078) x. Hiltibrandus papa an. xii^{ma} (qui et *Gregorius Septimus*, superioris pape cancellarius²³). (Cf. *G.R.* § 266, p. 825.)

Second Decemnovenalian Cycle, 1088–1101 (fo. 120b verso).

- (1085) iii. Wibertus papa ordinatur (cognomento Clemens.²³) archiepiscopus Ravennas Hiltibrando expulso.
 (1087) v. Uuillelmus, rex Anglorum, (v. Id. Septembr.²³) moritur, cui successit filius eius Uuillelmus. (Cf. *G.R.* § 282, pp. 887–8.)
 Victor, qui et Desiderius, abbas Cassinensis, m[enses] iiii. dies vii.
 (1088) vi. Urbanus 7' (*sic for qui et*) godo, episcopus Ostiæ ann. xi.
 (1089) vii. Lanfrancus archiepiscopus moritur. (Cf. *G.P.* § 44, p. 78.)
 (1098) xi. Scotorum rex Malcolm a Francis interficitur. (Cf. *G.R.* § 250, p. 809.)
 (1094) xii. Anselmus archiepiscopus ordinatur. (Cf. *G.P.* § 48, p. 88.)
 (1095) xiii. Peregrinatio in Ierusalem. (Cf. *G.R.* § 849, p. 400.)
 (1098) xvi. Ierusalem est capta a Francis, et archiepiscopus Anselmus exiliatur. (Cf. *G.R.* § 369, p. 427 : § 828, p. 876.)
 (1099) xvii. Godofridus, dux Alamannie, rex Ierusalem factus, in ipso anno obiit. (Cf. *G.R.* § 878, p. 488.)
 (1100) xviii. Pascalis papa.
 (1101) xix. Uuillelmus secundus, rex Anglorum, sagitta occiditur, et Henricus frater eius, in regno successit. Et reductus est archiepiscopus.

The following is added at the foot of the page :

Henricus, rex Anglorum, *regnauit annis xxxv, et super hoc a nonis Augusti usque ad kal. Decemb[ris]*. (Cf. *G.R.* § 457, p. 586.)

Third Decemnovenalian Cycle, 1102–1120 (fo. 120c recto).

- (1102) i. Henrico rege in Anglia regnante, facta est sinodus Lundinis, presidente ibidem Anselmo archiepiscopo. (Cf. *G.P.* § 64, p. 118 : *G.R.* § 417, p. 498.)
 (1104) iii. Hic visi sunt iiii^{or} circuli in circuitu solis vii. Id. Iun., feria iii^a in Pentecosten, a vi^a hora usque in nonam.
 v. Hic in secundo magno ciclo 6³⁴ beatus Benedictus.
 (1106) In tertio Henricus, imperator Alamannie.
 (1108) vii. Henricus, rex Anglie, cepit Normanniam, et fratrem suum comitem Normannie Rotbert.
 (1109) viii. Anselmus archiepiscopus. (*G.P.* § 66, p. 124.)

²³ Added in another hand.

³⁴ The initial of *deuotus* used to signify the death of the person named.

- (1114) xiii. Radulfus, episcopus Rofensis, factus est archiepiscopus Cantuarie (*G.P.* § 67, p. 126.)
- (1118) xvii. Pascalis papa obiit xviii. kal. Feb., et constitutus est papa cancellarius eius Iohannes Gaditanus, qui est *Gelasius II*, a cardinalibus, et ab Henrico Cesare Mauricius, episcopus Bracarenensis, qui et Gregorius VIII. (*G.R.* § 480, p. 504.)
- (1119) xviii. Mathild[is], regina Anglorum, obiit. Et Balduinus, rex Ierosolimae, frater superioris Godefridi, viii. Id. Ap. (*G.R.* § 418, p. 495; § 385, p. 451.)
- (1120) xix. Calixtus papa. (Cf. *G.R.* § 492, p. 506.)

Fourth Decemnovennial Cycle, 1121-1189 (fo. 120c verso).

- (1122) ii. Radulfus archiepiscopus θ . (*G.P.* § 71, p. 132.)
- (1128) iii. Willelmus clericus factus est archiepiscopus Cantuar[ie]. (Cf. *G.P.* § 78, p. 146.)
- (1125) v. Honorius papa. Henricus imperator ob[iit], qui regnaverat annis xx. (Cf. *G.R.* § 450, p. 527.)
- (1126) vi.³⁵ Altare Sancti Ald[elmi] dedicatum est xiiii. kal. Maii. Successit Lotbarius (*sic*).
- (1130) x. Honorius papa θ xiii. kal. Mar., et electi sunt ii. Innocentius et Anacletus.
- (1138) xiii.³⁵ Dedicatio Sancti Petri pridie ante Nativitatem Sancte Marie.
- (1135) xv. Henricus rex θ . Stephanus successit.³⁶ Dedicatio Sancti Michaelis die post Nativitatem Sancte Marie.
- (1136) xvi. Willelmus archiepiscopus θ .
- (1138) xviii. Anacletus papa obiit, et Loch9arius (*sic*) imperator.
- (1139) xix. Tethbaldus, abbas con[ventus] Becoi, archiepiscopus Cant[uarie].

Of these annals the only one in the hand of the scribe of the manuscript is the first part of that for 1073, which is derived, as the High German form of Hildebrand's name suggests, from Marianus. It is, therefore, obvious that the other annals were not written in the margin of the manuscript from which this scribe copied. The latest annal is that of 1139, and we may conclude that the additions were made before that time, a year or two before the death of William of Malmesbury. From the numerous hands employed and the added words here and there between the lines it is also clear that the annals have not been copied *en bloc* from some similar work. Some of these entries, especially those of later date, are in a cramped hand that is not very unlike that of William. A curious point about these annals is the verbatim agreement of the one for 1104 with that in the *Annales Wintonienses* in the Cottonian MS. Nero A. viii, assigned by Professor Liebermann to the middle

³⁵ The Γ is omitted here.

³⁶ The Γ here is, apparently, represented by a later one embracing this and the entry about Henry and Stephen.

of the twelfth-century.³⁷ To the evidence of the Peterborough manuscript of the Chronicle (MS. E), with which the annal partly agrees, is added a more exact reference to the duration of the solar phenomenon recorded. Partial agreements with the *Annales Wintonienses* may also be found under 1078, 1085, 1087, 1089, 1098, 1095, 1098, 1102, 1106, 1109, 1114, 1118, 1119, 1120, 1122, 1123, 1125, 1135, 1136; but some of these may be of independent origin.³⁸ The Worcester copy of Marianus, as reproduced for Bury St. Edmunds,³⁹ has entries of the death of William the Conqueror in 1087 and of William Rufus under 1101 in almost the same words as given above. But the obvious suggestion that these entries existed in the copy from which our manuscript was taken at the time when it was copied is ruled out of court by the fact that in it they are not in the hand of the copyist, but are certainly later additions by another hand. It is, however, noteworthy that both ascribe the death of William Rufus to 1101, a mistake originating, no doubt, in the entry being made against xix instead of xviii. The entry under 1087 seems to be based upon one in the continuation of Marianus in the Cottonian MS. Nero C. v., which is as follows: *Wilelmus, rex Anglorum obiit v. id. Sept. Wilelmus filius eius unctusque est in regem iiii. non. Oct.*

It cannot be affirmed with certainty that any of these annals have been added to the manuscript by William of Malmesbury or from his direction. But that they were added at Malmesbury may be gathered from the fact that the death of the great saint of that monastery, St. Aldhelm, is entered under 708 (fo. 123 verso) as 'Dormitio Sancti Aldhelmi,' in the hand that resembles that of William, and from the record of the dedication of St. Aldhelm's altar in 1126, and of St. Peter's in 1133, and St. Michael's in 1135.⁴⁰ These two latter are the saints to whom Aldhelm dedicated two of the churches in the monastery of Malmesbury.⁴¹

It is thus made probable that this manuscript was at Malmesbury when its famous historian was at work on his historical writings. That it was the book from which he derived his knowledge of Bishop Robert's tract may be concluded from the significant fact that he speaks of Marianus as Marimanus, which is derived from the Marinianus of the Bodleian MS. under consideration. This error is

³⁷ *Ungedruckte Anglonormannische Geschichtsquellen*, p. 76.

³⁸ On the other hand there might be a closer agreement if so many entries in the original hand of this Cottonian MS. had not been erased to make room for later substitutions.

³⁹ Bodl. MS. 297. See above, p. 77 n. 28.

⁴⁰ They probably record rebuilding. Cf. the similar entry of the dedication of Christ Church, Canterbury, in 1130 in the *Annales Wintonienses*, ed. Liebermann, p. 79.

⁴¹ See Malmesbury, *Gesta Pontificum*, § 216, p. 361, who records that ruins of St. Michael's existed when he wrote this work (in 1125).

peculiar, so far as I can discover, to this manuscript and to William of Malmesbury. May we not, in the face of this cumulative evidence, hold that he is the Willelmus of the verses prefixed to this volume, whether they be written in his hand or that of another?

W. H. STEVENSON.

An Unpublished Life of Edmund Rich.

THE medieval biographies of Edmund Rich are tolerably numerous. No fewer than three were printed by the late Dom Wilfrid Wallace in the appendices to his valuable *St. Edmund of Canterbury* (1898). These have some obvious affinities, and all of them are to a greater or less degree founded upon the same stock of materials which was employed by the author of the better known Pontigny life. This work, which dates from the middle of the thirteenth century, is printed in the third volume of the *Thesaurus Novus* of Martène and Durand; from it are derived the life printed by Surius,¹ that by Vincent of Beauvais,² and that by John of Tyne-mouth.³ There is, however, another life, which has never yet been printed. It is of about the same date as the Pontigny life. It exists in three English copies—Balliol College MS. 226, Lambeth Library MS. 185, Cambridge University Library MM. 4.6,—all of the thirteenth century. For convenience we may call it the Balliol life. It has been used by the two most recent biographers of St. Edmund, Dom Wallace and the baroness de Paravicini. But they differ in their opinions as to its nature and value. Dom Wallace⁴ came to the erroneous conclusion that it was a copy of the Pontigny life. The error was natural, for large sections of the two works are verbally identical. But, as the order of the sections varies considerably, and as each life contains facts which are not recorded by the other, it is necessary to suppose that the two writers followed a common source or set of sources. The baroness de Paravicini,⁵ on the other hand, overrates the difference between the two lives. Rejecting Martène's hypothesis that the Pontigny life was composed by Bertrand of Pontigny, the saint's chamberlain, she credits Bertrand with the Balliol life on the strength of passages which occur in both lives, but which, through some oversight, she regards as indisputably the work of the Balliol author.

The true relation of the Balliol and Pontigny lives may be

¹ *De Probatis Sanctorum Historiis*, vol. vi. ed. 1575.

² *Speculum Historiale*, bk. xxxi.

³ *Nova Legenda Angliæ*, vol. i., ed. Horstmann, 1901.

⁴ *St. Edmund of Canterbury* (1898).

⁵ *St. Edmund of Abingdon* (1898).

measured by a systematic collation of their texts. Such a collation we give below, printing in full those passages which are peculiar to the Balliol life. For this collation the Balliol manuscript has been used. It is fully described in Coxe's catalogue (i. 71); we need only remark that the scribe, though an artistic penman, was rather careless and unintelligent. The numbers which we prefix to the sections do not exist in the manuscript, but are added for convenience of reference.

Ball. Coll. MS. cccxvi. fo. 47, v^o b-to. 64, r^o b.

Prologue. *Ad honorem Salvatoris . . . habuerat in talentis. Proposita vero actionis narrationes veritatis gesta sunt.*

The Pontigny life, as printed by Martène and Durand, has no prologue. The Balliol prologue reappears in the life attributed by Dom Wallace to Robert Rich; this life will be found among Dom Wallace's appendices.⁶ The natural conclusion is that it is the prologue found in a source common to all three writers, since the 'Robert Rich' life is certainly not derived from the other two, nor they from it.

§ 1. Birth and parentage of St. Edmund. Abbreviated from the narrative in §§ 1-4 of the Pontigny life.

§ 2. *Quomodo comam monente matre deposuit.* Abbreviated form of the Pontigny life, § 5.

§§ 3, 4. *De morte matris. Quomodo due sorores eius facte sunt moniales* = Pontigny life, § 7, but more shortly, with a change in the order of narration. The Balliol MS. gives the name of Catesby Priory correctly; the Pontigny life gives *Keteby*. The common source, for Edmund's sisters, used the deposition (*veriloquium ac breviluquium*) of Robert Bacon, which is quoted in a life printed by Dom Wallace (p. 561).

§§ 5, 6. *Quomodo apparuit ei dominus Ihesus* = Pontigny life, § 6. The general correspondence is striking, though there are differences of phraseology, and each writer adds his own reflexions. There can be little doubt that each is here following the authority of Bertrand the archbishop's chamberlain. The Pontigny life says, 'Scit enim hoc qui vidit et scripsit haec et super eis perhibet testimonium, nec est de eius testimonio leviter alicui dubitandum; dum enim nocte quadam pro more cubicularii in camera cum illo consistens nomen illud gloriosum fronti suae diligenter eum imprimere conspiceret,' &c. The Balliol writer says 'ut ipse testimonium perhibet qui vidit et scripsit hec. Et scimus quia verum est testimonium eius.'

§ 7. *Qualis fuerit in puericia in scolis* = Pontigny life, § 9. Here, as elsewhere in all passages which offer an opportunity for moralising, the Pontigny writer improves the occasion.

§ 8. *Quomodo vidit animam cuiusdam a demonibus raptam* = Pontigny life, § 8. Two significant differences may be noticed. The Balliol writer begins, 'Quadam die cum iter ageret versus Habendoniam una cum illo comite vie,' &c. This companion is treated as some one who has been already mentioned. But no such companion has been

⁶ *Op. cit.* p. 614.

mentioned. This is one of the fairly numerous cases in which we find reason to suspect that the Balliol writer is abridging without intelligence from a fuller source. The Pontigny life, following the same source, says, '*Die quadam cum versus natale domicilium, videlicet Abendoniam, iter ageret cum alio quodam quem secum habuit itineris socium,*' &c., and so avoids the difficulty. The other point to be noticed is that the Balliol life names a definite place, Chalgrove, as the scene of the vision, whereas the Pontigny writer, who has no liking for English names, speaks of 'the nearest village' without specifying further.

§ 9. *Quomodo carnis integritatem servaverat.* A short paragraph identical with a passage in the Pontigny life, § 9.

§ 10. *Quomodo ymaginem beatae Virginis desponsaverat filius accrescens* = Pontigny life, § 10, but with different moralisations.

§ 11. *Quomodo verberavit quandam puellam* = Pontigny life, § 11.

§ 12. *De quadam maritata eum provocante ad licita (sic for illicita?)* = Pontigny life, § 12.

§§ 13, 14. *Item temptatio de alia. Quod respondit familiari se increpanti.* These two anecdotes are told in the Pontigny life, § 51. The second belongs to the period of Edmund's pontificate; for the friend who rebuked him was, as we learn from another source, no other than Richard de la Wych, who became Edmund's chancellor after the saint was appointed to Canterbury. The Pontigny life, therefore, gives the anecdote in its proper chronological setting. The Balliol writer transfers it to the early part of his book, in order to place it in juxtaposition with another story of the same kind.

§ 15. *Quali cilitio utebatur* = Pontigny life, § 13. The two accounts agree closely, even to their wording; but the Pontigny writer adds an anecdote to explain how it was that these austerities, which Edmund so carefully concealed, became generally known.

§ 16. *Quod ignis non potuit comburere cilicium eius.* A story which is repeated in the Pontigny life, § 47. In both cases the authority is *quidam cubicularius*, who is no doubt to be identified with Bertrand of Pontigny.

§ 17. *Quomodo legenti arismetiam apparuit mater eius.* These anecdotes are given in the Pontigny life, §§ 14, 16. The first part of this section describes the piety which he displayed as a master of arts in Oxford. Here the common source is a letter from the University of Oxford to Innocent IV, which is printed by Martène and Durand (*Thesaurus Novus*, iii. col. 1839); the letter, so far as it is of a narrative character, is transcribed in both lives.

§§ 18, 19. *Quales habuit in scholis auditores* = Pontigny life, §§ 16 (last sentence), 17. Here we are able to prove that the Balliol text keeps more closely than that of the Pontigny MS. to the words of the common source. For the common source is the deposition of Robert Bacon as quoted by the author of the Cottonian MS. Julius D. vi (1), a life which Dom Wallace prints. The relevant passage will be found at p. 563 of Dom Wallace's work. This Cottonian life, which the baroness de Paravicini is probably right in ascribing to Matthew Paris, is very largely based upon the depositions which were collected with a view to the process of canonisation.

§ 20. *Quomodo apparuit ei Spiritus sanctus* = Pontigny life, § 18, much condensed.

§ 21. *Qualis fuit in predicatione* = Pontigny life, § 19 (beginning). The Pontigny writer adds, however, some interesting particulars respecting the saint's intimacy with William Longespée and his manner in preaching.

§ 22. *De quadam peccatrice conversa*. This anecdote occurs in the Pontigny life, § 19.

§ 23. *Quomodo apparuit ei beatus Iohannes* = Pontigny life, § 15, where another anecdote is added to show the perseverance of St. Edmund in prayers and other spiritual exercises.

§ 24. *Quomodo verberavit diabolus* = Pontigny life, § 19 (second half).

§ 25. *Qualis fuit in studendo* = Pontigny life, § 80. This description of the saint's lecture room evidently comes from one who had seen it, and can scarcely be the work of Bertrand, who was only the companion of his later years.

§ 26. *De abstinentia beati Eadmundi*. This section brings together a number of facts which are scattered over §§ 20-8 of the Pontigny life. The common original used the deposition of Robert Bacon, to which we have already referred (above, §§ 8, 18).

§ 27. *Quomodo dilusa sit iusti simplicitas*. This anecdote, not to be found in the Pontigny life, runs as follows: 'Cum quadam nocte apud quendam nobilem hospitaretur, more suo parum comedit et bibit et ante lectum suum iacuit. In crastino pro recessu eius quidam de familia cameram qua iacuerat ingressi, et nullam formam hominis in lecto suo videntes dixerunt ad invicem, Ecce quam ebrius fuit vir ille nocte qui pre ebrietate lectum suum adire nescivit.' The same story occurs in one of the lives printed by Dom Wallace.⁷

§ 28. *De conversatione eius postquam ad theologiam se contulit*. These anecdotes are given, in much the same terms, in the Pontigny life, §§ 29-5.

§ 29. *Quod placitis non interfuit*. Three anecdotes are given to illustrate the saint's unworldliness. They occur in the Pontigny life, §§ 26 (the saint's abstention from law courts), 14 (his contempt for money), 15 (his insistence upon chastity among his servants). The common source drew the two latter anecdotes from Robert Bacon's deposition.

§ 30. *Cum quibus elegit conversari* = Pontigny life, § 28. The common source followed, for the first part of this section, a letter from the canons of Merton to the pope, which is printed by Martène and Durand.⁸ For the second half, relating to the saint's stay at Combe Abbey (co. Warwick), it is probable that a similar letter from the monks of that house was used.

§ 31. *De nobili facto quod fecit Parisius tempore famis*. The same anecdotes are given in the Pontigny life, §§ 16 (how he sold his books to relieve the famine-stricken), 14 (how he paid a poor scholar's physician; but the Pontigny life places this incident at Oxford), 29 (his hospitality).

§ 32. *Quomodo scolari suo infirmo servivit* = Pontigny life, § 14.

⁷ *Op. cit.* p. 604.

⁸ *Op. cit.* col. 1899.

The story comes from the deposition of Robert Bacon.⁹ The incident happened when St. Edmund was a regent in arts at Oxford. It is given by the Pontigny writer in the proper chronological sequence, but transferred to a later place by the Balliol writer, in accordance with his general principle of grouping anecdotes by reference to their subjects. A passage about the saint's simplicity which comes at the end of this section in the Balliol life is reproduced in § 80 of the Pontigny life.

§ 88. *Quomodo legationem crucis suscepit* = Pontigny life, § 84. When canon and treasurer of Salisbury St. Edmund received a papal commission to preach a crusade (c. 1227). Both lives proceed to give an account of the miracles which were wrought in the course of the circuit which he made for this purpose through the counties of Somerset, Gloucester, Hereford, Worcester, and Oxford. These miracles fill §§ 84-9 of the Balliol life.

§ 84. *De manu cuiusdam mulieris contracta et per eum sanata* = Pontigny life, § 85, where the scene of this miracle is placed at Leominster.

§ 35. *De moniali de Boklond* = Pontigny life, § 86, which gives the name of the convent as Boklande—perhaps Minchin Buckland, in Somerset.

§§ 86-8. *Quomodo impetum imbrium irruentium dum predicaret compescuit*, &c. Three cases in which rain was miraculously prevented from interrupting his sermons. The Pontigny life, §§ 88-48, gives these and other similar cases.

§ 89. *Quomodo candela non potuit comburere bibliam eius* = Pontigny life, § 44.

§ 40. *De quodam scolari per eum sanato*. The story (how St. Edmund by means of prayers transferred to himself the ailment of a pupil) is told in the Pontigny life, § 14, as an incident of his early Oxford life. Here the common source quoted the deposition of Robert Bacon, which is reproduced more accurately in the Balliol text. This is one of the sections which shows most conclusively that the Balliol life is not derived from the Pontigny life.

§ 41. *De visitatione alterius* = Pontigny life, § 88.

§ 42. *De luce sibi divinitus reddita* = Pontigny life, § 45. In relating this curious little anecdote the Balliol author has preserved the correct reading of a rare word (*crucibulum* = a hanging lamp), which so puzzled the Pontigny scribe that he substituted for it the common *cubiculum*, which in this context is unmeaning. The Balliol text runs, 'Sedens aliquando ad crucibulum suum casu obdormivit; et ecce mus intrans in crucibulum cauda sua illud extinxit. Cumque evigilasset et lumen extinctum reperisset, suspirans ingemuit et ait, Ha sancta Maria, et subito lumen in crucibulo reparatur.'

§ 48. *Quomodo antracem in proprio pede curavit* = Pontigny life, § 46. In describing the ulcer (*antrax*) from which the saint once suffered the Balliol author glosses the Latin with the French name: 'accidit morbo quodam qui Gallice dicitur *li felum* in pede gravari.' Here and in one other place (§ 49) he assumes that French will be more

⁹ Wallace, *op. cit.* p. 564.

intelligible to his readers than Latin, while, on the contrary, he glosses his English quotations in Latin.

§ 44. *Quod nullum genus vermium in vestibus eius potuit reperiri* = Pontigny life, § 47. For this singular mark of holiness both authors vouch the authority of the saint's chamberlains; probably Bertrand of Pontigny is the source. The Pontigny writer adds the remark, 'nec immerito istud descripsimus pro miraculo, cum vix ullus vel certe nullus hoc probro careat vel tormento.'

§ 45. *Quomodo electus est in archiepiscopum* = Pontigny life, §§ 48, 49. The two accounts are substantially the same, and evidently the original source was a domestic of the archbishop's household. An incidental proof of its accuracy is afforded by the statement that Edmund was, at the time of his election, residing at Calne; we know from the Sarum archives that the benefice of Calne was attached to the office of treasurer of the cathedral, which he then held.

§ 46. *Qualis fuit in archiepiscopatu* = Pontigny life, § 50. The common source followed a letter from the abbot of Reading, or some narrative quoted by the abbot; his letter is printed by Martène and Durand.¹⁰

§§ 47-8. *De opere misericordie quod exercebat*, &c. Instances of his goodness to the tenants of the archiepiscopal estates; reproduced in Pontigny life, § 52.

§§ 49-50. *Quod munera non accipiebat* = Pontigny life, § 53. Here the Balliol life gives in French a *mot* of the archbishop, which the more formal Pontigny writer latinises. St. Edmund used to say, 'Entre prendre et pendre ni ad ke une lettre. Dunt cil ke prent volunteers est mut pres de pendre.' There can be no doubt that this is nearer to the original source than the Pontigny report: '*Prendre et pendre non differunt nisi una littera, unde patet quod valde proximus est suspendio qui munera libenter accipit nisi ea acceperit bono modo.*'

§§ 51-4. *Quomodo rex et regnum et filii spirituales in eum insurrexerunt. Quomodo summum pontificem adiit*, &c. = Pontigny life, § 54. It will be noticed that both lives pass lightly over the political aspects of Edmund's pontificate. This is only to be expected from their object, which is to edify, and from the materials on which they are based—the evidence, that is, which was collected to justify Edmund's canonisation. For the history of Edmund's difficulties the Cottonian (or Matthew Paris) life and the documents collected by Dom Wallace are the chief authorities. On the subject of the visit to Rome the Pontigny author is more detailed, just as he has more to say than his rival about Edmund's early residence at Paris. There can be little doubt that each consulted the taste of a special audience. The Pontigny writer had French readers in view; the Balliol writer is more insular.

§ 55. *De primo consilio*. An account of the first conference which Edmund held with the bishops about his relations with the king and the legate Otho = Pontigny life, § 54 (latter part). The Balliol life here gives the fuller account. That it is here nearer to the common source than the Pontigny life may be seen by reference to the corresponding passage in the third of the lives printed by Dom Wallace.¹¹

¹⁰ *Op. cit.* iii. col. 1909.

¹¹ *Op. cit.* p. 622.

§§ 56-7. *De secundo consilio, &c.* An account of the circumstances in which Edmund excommunicated the adversaries of Canterbury and finally resolved to leave England. Reproduced in the Pontigny life, § 55.

§ 58. *De quodam febricitante per eum sanato* = Pontigny life, § 56.

§ 59. *Quomodo apparuit ei beatus Thomas* = Pontigny life, § 60.

§§ 60-1. *Quod spiritum prophetie habuit* = Pontigny life, § 60. These sections are important for the light which they throw upon the date of the common source. We are told of prophecies which St. Edmund made to Albert of Köln, archbishop elect of Armagh, and to William Raleigh, bishop of Norwich and bishop elect of Winchester. The narrative, in both texts, concludes by pointing out the truth of these prophecies: 'Nam et ille quondam Armachanus¹² gloriatur in tribulationibus in quibus adhuc desudat pro iusticia, et ille Wintoniensis post immensos tribulationum aggeres iam de omnibus feliciter triumphat.' William Raleigh was allowed to take up the see of Winchester in 1244; he died in 1250. This passage must have been written between these dates. The reference to Albert as *quondam Armachanus* narrows the limit of time still further; for he did not resign his see before 1246.

§ 62. *De causa exitus eius de Anglia.* A brief report of a conversation which Edmund held with the prior and subprior of Lewes on the eve of his departure. These persons are vaguely described in the Pontigny life, § 61, as *quidam viri religiosi*. We know that Edmund was in the neighbourhood of Lewes shortly before he departed from England.

§§ 63-4. *De exitu eius. De ingressu eius in Pontinniacum* = Pontigny life, §§ 61-2.

§§ 65-6. *De secessu eius apud Soysi. Quomodo ibidem infirmatur* = Pontigny life, § 63. St. Edmund removed from Pontigny to Soisy during the autumn heat, to obtain a change of air. Here the Balliol life reproduces the actual words of an eye-witness: 'cui cum abbas sancti Iacobi de Provino [Provins] vel prior de Soysi, *quis eorum memorie non occurrit*, coctana cocta que infirmis offeruntur offerret,' &c. The Pontigny life mentions only the abbot of Provins.

§ 67. *Quomodo exitum suum munivit sacramentis ecclesiasticis.* Reproduced in Pontigny life, § 64. Contains the last prayer of St. Edmund, 'Tu es, Domine, in quem semper credidi,' &c., which is quoted in all the other contemporary lives.

§ 68. *Quomodo se habuerit post perceptionem sancte communionis.* This section, reproduced in the Pontigny life, § 64, gives a fairly correct version of the archbishop's last *mot*: 'Iubilum quod [MS. *que*] sensit in corde materno designavit sermone, et Anglico velud ludens proverbio dixit, Men seyeth gamen goð [MS. *god*] on wombe, and i segge mi gamen goð [MS. *godt*] on heorte. Quod Latine sic exprimit interpres, Dicitur ludus vadit in ventrem: ego dico, nunc ludus vadit in cor.' The jest is also given in the Cottonian life,¹³ which follows the same source, presumably Bertrand.

§ 69. *De extrema iniunctione eius et dictis eius usque ad mortem.* Reproduced in the Pontigny life, § 64. It is characteristic of these two

¹² Ball. MS. omits *quondam*.

¹³ Wallace, p. 573.

lives that they omit the details, which the Cottonian life preserves, respecting Edmund's last will and testament. This latter source quotes a most interesting letter from Edmund to William Raleigh, begging that bishop to act as his executor, 'quia mortui raros et paucos invenire solent amicos, et maxime in regno Anglie.'¹⁴ Of such terrestrial details the Balliol and Pontigny authors are oblivious.

It is scarcely necessary to give an analysis of the remaining sections (§§ 70-8) in the Balliol life. They deal with the burial and translation of the saint and recount some miracles. It is the same story, with some variations, which we find in the Pontigny life, §§ 64-71.

The general conclusions which may be drawn from our analysis of these two lives are not, historically, of great importance. The Balliol life does not add much to our knowledge of St. Edmund, but it does help us towards the partial settlement of a vexed question in the criticism of the sources. There has been much discussion as to the authorship of the Pontigny and Balliol lives and the other lives of the saint which we have cited. One can only marvel at the assurance with which the names of Robert Rich, Bertrand of Pontigny, and Robert Bacon have been attached to this or that life. The only one of the biographies which can be ascribed with some confidence to a specific author is the Cottonian MS. Julius D. vi. In this case internal and external evidence converge to the conclusion that Matthew Paris is the author.¹⁵ The problem is much more difficult in the case of the other lives, where we have to rely upon internal evidence alone. The general parallelism of the Balliol and Pontigny lives is sufficient to show that they are not merely founded upon a common stock of documents, but that the material had been carefully selected, and to some extent arranged, before they began to work. At the same time it is clear that neither these writers nor the compiler whom they followed made any serious attempt to recast the selected material. The method of all three was the same; they copied striking extracts with a running flow of the conventional moralisations. The Pontigny writer was on the whole more literary than the author of the Balliol text; but even the Pontigny text only shows tentative and spasmodic attempts at originality. The differences of the two texts are greater than the foregoing analysis reveals; the Pontigny life includes a fair number of anecdotes which the other suppresses. But there is no reason to think that either writer contributes anything of importance from his own knowledge. The compiler from whom both drew is a more tantalising problem. How much of what he recorded was his own experience? All we can safely say is that he was a chamberlain in the archbishop's household, who

¹⁴ Wallace, p. 575.

¹⁵ Baroness de Paravicini, *op. cit.* p. xxxi ff.; B. Ward, *St. Edmund, Archbishop of Canterbury*, p. 242.

knew little of public affairs, and who was so indolent or so humble-minded that he lost no opportunity of quoting others for facts of Edmund's life and traits of Edmund's character which must have come within his own range of observation. He knew little about the early life of his patron, much less than his fellow-servant Eustace of Canterbury, whose deposition supplied Matthew Paris with material for the earlier part of the Cottonian text.¹⁶ But the chamberlain's narrative of Edmund's last moments appears to have been the recognised authority for an episode of history which appealed most strongly to the feelings of Edmund's contemporaries. Matthew Paris is the only other biographer who adds anything to our knowledge of the saint's dying words and deeds. The other lives read at this point like abridgments or imperfect reminiscences of the chamberlain. Probably we may identify the chamberlain with Bertrand of Pontigny; but the attribution of a name adds, in this case, little or nothing to our knowledge of the author's personality.

The Pontigny life and the Balliol life may, then, be considered as mutually independent recensions of one life. The ultimate sources of Bertrand's work, apart from his own reminiscences, were apparently the depositions collected for the process of canonisation. No doubt Bertrand himself wrote such a deposition. The frequent echoes of the Pontigny and Balliol lives which we find in others written not much if at all later in date are to be explained by the recourse of all the authors to the same official letters and depositions. At all events this hypothesis can be verified in the case of the life by Matthew Paris, whose sources happen to be known. Such being the method on which the hagiographers performed their work we may plead for greater attention to their evidence than is usually accorded by critical historians. The hagiographers seem, if we may judge from these examples, to have followed the best obtainable evidence without allowing much licence to their imagination or to their preconceived ideas of sanctity. They tell us with considerable fidelity what was asserted and believed by the personal friends of the saints; and where the flowers of rhetoric are strewn over the narrative it is not a rhetoric which suppresses or transforms the essential features of the story as it was known to the writer.

H. W. C. DAVIS.

¹⁶ See Wallace, p.

*The Barony of Castelnau, in the Médoc,
during the Middle Ages.*

THE numerous and scattered possessions of some of the great houses in South-Western France involved the collection of a vast quantity of documents—conveyances, leases, feudal *reconnaisances*, records of homage, &c.—concerning their property. From time to time inventories were made of these masses of material to facilitate an examination of the estates, and such inventories have often been rendered extremely valuable owing to the total or partial disappearance of the original documents themselves. Two such records exist, in private hands, concerning the estates of the house of Foix, in the Médoc.¹ One of these, evidently compiled at the close of the sixteenth or early in the seventeenth century (judging by the writing and by the notices which it contains), is headed 'Inventaire des titres qui sont dans les Archives du Château de Castelnau concernant les anciens titres de la Maison de Candale, N° 16,' and it contains a list and short analysis of documents from the thirteenth to the sixteenth centuries. The other, in writing of rather later date, and in much better preservation (the former being faded in parts), bears the title 'Inventaire des titres concernant la baronnie de Castelnau en Médoc,' and is also headed 'Castelnau, Lamarque et autres Seigneuries en Médoc.' This is rather smaller and has nothing dating earlier than 1556, nor later than 1602. From the two can be gathered a good deal concerning the nature and extent of these possessions, especially from the fourteenth century, since the notices before that time are rather scanty.²

Early in the fourteenth century we find that the seignory of Castelnau³ was shared between the De Graillys and the lords of Castillon en Médoc.⁴ In 1330 the inhabitants made an agreement

¹ Castelnau and the other estates in the Médoc were not in the hands of the counts of Foix of the first race. (This family ended with Mathieu, comte de Foix.) In the thirteenth century they were in the possession of the house of Bordeaux. In 1307 Assalhide, the last of the family, married Pierre de Grailly; and in 1367 Archambaud de Grailly, their son, became comte de Foix, and his descendants in all branches adopted the name. The house of Candale, or Foix-Candale, began in the fifteenth century with the marriage of Jean de Foix to Margaret of Suffolk, countess of Kendal; and it was this branch of the family which succeeded to the possessions of the house of Foix in Guyenne. In 1587 by the marriage of Marguerite de Foix-Candale to Jean Louis de Nogaret de la Valette, duc d'Epéron, most of these possessions passed into his hands, there being no male heir of the Candale family. See Léo Drouyn, *Guyenne Militaire* (Bordeaux, 1865); Anselme, *Histoire de la Maison de France*.

² The inventories are not arranged chronologically.

³ Castelnau, arrondissement Bordeaux, chef-lieu du canton.

⁴ Castillon en Médoc, commune St. Christoly.

with the two lords Jean de Grailly⁵ and Pons de Castillon,⁶ co-seigneurs de Castelnau. In 1388 the men of Salaunes owed to both together for the right of pasturing their beasts on *le paduentage des dits seigneurs*; and the jurisdiction with its valuable proceeds was held jointly, a contract being made in 1412 between Gaston de Foix⁷ and the lady of Castillon *sur la juridiction commune de Castelnau*. This co-seignory seems to have involved the holding of different portions of the barony rather than actual co-partnership, except for such things as above mentioned, which were bound to concern both lords; otherwise homage and rent were paid from some places to Jean de Grailly, from others to Pons de Castillon. Thus in 1318 Marie de Castillon and the inhabitants of Listrac treated separately touching the rent due for lands and houses there; while the inventory of fourteenth-century documents concerning Lamarque,⁸ Pauillac,⁹ Soulac,¹⁰ St. Julien,¹¹ St. Christoly,¹² Cussac,¹³ St. Germain,¹⁴ St. Laurent,¹⁵ Moulis,¹⁶ &c., contains chiefly lists of *cens* and *esport* due to Pons de Castillon alone. In 1424 a fresh arrangement was made as to the sharing of the barony. The heiress of Pons de Castillon, who had married the seigneur of Lescun,¹⁷

⁵ Probably Jean de Grailly II, captal de Buch, son of Pierre de Grailly and Assalhide de Bordeaux.

⁶ For the family of Castillon see Drouyn, i. xxxv. This was probably the Pons de Castillon who was seneschal of Saintonge in 1307.

⁷ Captal de Buch, a second son of Archambaud de Grailly and successor to all the Guyenne possessions. He was the father of Jean de Foix, comte de Candale, who headed that branch of the family.

⁸ Arrondissement Bordeaux, canton Castelnau. Part of Lamarque was held by Hugues de Castillon (1273). Other rights in it came into the possession of the first Pons de Castillon by his marriage. The second Pons de Castillon had his possessions confiscated by the king of England, but they were restored to his widow in 1353. Both Castillon and Lamarque were occupied by the English in the fifteenth century and granted to the duke of Gloucester. On his death in 1447 they were given by Henry VI to Jean de Foix, comte de Candale.

⁹ Arrondissement Lesparre, chef-lieu.

¹⁰ Arrondissement Lesparre, canton St. Vivien.

¹¹ Arrondissement Lesparre, canton Pauillac.

¹² Arrondissement and canton Lesparre.

¹³ Arrondissement Bordeaux, canton Castelnau.

¹⁴ Arrondissement and canton Lesparre.

¹⁵ Arrondissement Bordeaux, canton Castelnau.

¹⁶ Arrondissement Lesparre, chef-lieu.

¹⁷ I cannot identify this lady with certainty. The only daughter and heiress of Pons III of Castillon was called Bourguine, and married Bertrand de Pardailan, seigneur de la Motte and de Gondrin, who does not appear to have had any connexion with the seignory of Lescun. There was, however, some connexion between the seigneurs of Lescun and these possessions in the Médoc, and the claim may have been started by a marriage with some member of the house of Castillon. Odet Deydie, seigneur de Lescun (made comte de Comminges in 1472), also called himself seigneur de Castillon. His daughter married Jean de Foix, vicomte de Lautrec, and to them the parliament of Bordeaux adjudged Castillon and Lamarque, &c., which, on the other hand, Henry VI in 1447 granted to Jean de Foix, comte de Candale. The dispute on the question between the two branches of the family was ended by a marriage between Gaston de Foix, son of Jean, and Magdeleine de Lescun (Drouyn, ii. 341 *seq.*, 388; Anselme, ii. 672).

yielded up to Jean de Foix, captal de Buch,¹⁸ all her inheritance in the land and jurisdiction of Castelnau and various other places, being given in recompense a fourth part of the jurisdiction of Lamarque, Bequey,¹⁹ and the *prévôté* of St. Julien. Meanwhile, however, it appears that Pons de Castillon had really lost a good deal of his property, which had been confiscated by the king of England and handed over to Humphrey, duke of Gloucester, who in 1441 was given the title of 'seigneur de Castillon, Lamarque, and Castelnau,' and received various *esporles* from the same in 1446. We hear, however, no more of any active management of the property by Duke Humphrey, who himself ceded his rights to the house of Foix, a cession confirmed by letters patent of Henry VI.²⁰ In 1497 a *vidimus* of this confirmation states that *Henri, roi d'Angleterre, donne à Jean de Foix, son cousin, Castillon, Lamarque, Moton,²¹ Saussac,²² Castelnau, Milhou,²³ Budos,²⁴ Cussac, Listrac²⁵ et Montignac,²⁶ lesquelles seigneuries le dit roy avait donné auparavant à Humfred, duc de Gloucester, oncle du dit roy, 5 Oct. l'an de son regne 25*. By the fifteenth century the comtes de Foix-Candale were among the largest landholders in this region, possessing as they did the captalat de Buch and much property in the Médoc. Besides the seignories confirmed to them above by the English king they had lands in the parishes of Moulis, St. Laurent, Pauillac, Avensan,²⁷ Bernones,²⁸ Salaunes,²⁹ Sainte Hélène de la Lande,²⁹ Lacanau,²⁹ Le Porge,²⁹ and Donissan, sharing the latter with the lords of Blanquefort. Seignories were constantly shared in varying proportions. In 1480 three parts of Listrac were in the possession of Isabel, wife of the seigneur³⁰ of Montferrand³¹ and Langoiran,³² and the inhabitants took the oath of fealty to the lady as well as to Gaston de Foix, captal de Buch. In some cases this division of property must have caused much inconvenience, and from time to time we find the chief seigneurs buying off other claimants and gradually acquiring complete control over their possessions. Thus in 1480 this same Gaston de Foix bought from the seigneur of Blanquefort all the rights which he held in Castelnau; in 1486

¹⁸ This must be the first comte de Candale.

¹⁹ Possibly Beguey, arrondissement Bordeaux, canton Belin.

²⁰ 1447. These lands were given to Jean de Foix, comte de Candale (Rymer, v. 171, third edition).

²¹ Mouton, commune Pauillac.

²² Commune St. Laurent-en-Médoc.

²³ Possibly Millau, in the Landes, commune Tartas.

²⁴ Arrondissement Bordeaux, canton Podensac.

²⁵ Arrondissement Bordeaux, canton Castelnau.

²⁶ Possibly in the arrondissement La Réole, canton Targon.

²⁷ Arrondissement Bordeaux, canton Castelnau.

²⁸ Commune Cussac.

²⁹ Arrondissement Bordeaux, canton Castelnau.

³⁰ Possibly this seigneur was a son of Bertrand de Montferrand, seigneur de Langoiran, who married Rose d'Albret, 1408.

³¹ At Bassens, arrondissement Bordeaux, canton Carbon-Blanc.

³² Arrondissement Bordeaux, canton Cadillac.

300 francs were paid to the seigneur of Montaubon for certain rents in St. Sauveur ; and in 1498 as much as 4,000 francs of gold to J. de Jordan for dues he claimed in the seignories of Castillon, Lamarque, Motte,³³ and Castelnau.

Concerning the nature of this property, as far as can be judged from the summary notices given by an inventory, the Médoc was not in the fifteenth century so completely the land of vineyards as it has since become ; far less so indeed than other parts of the Bordelais—the Graves, for example—which by this time were almost exclusively given up to the culture of the vine. Vineyards existed, however, in some parts in the fourteenth century. In 1354 this is implied by the duty of certain tenants at St. Laurent, who had to provide material for the hoops of barrels and to carry them to St. Sauveur.³⁴ In 1364 half the ‘*Far de Castelnau*,’ let out at rent, was said to consist of ‘lands, vines, woods, meadows, and pastures :’ in 1390 at St. Laurent a tenant paid part of his rent in wine, and in 1393 another held 8 *règes* of vine in the seignory of Lamarque. In the following century vineyards and wine rents are mentioned at Moulis (1407), at Pauillac (1437), at Senensan (1420), and at Cussac (1477). In the sixteenth century rents of barrels of wine became distinctly more common, and were given by tenants in the above-mentioned places, with the addition of Donissan and Listrac. On the whole, however, corn rents were more numerous than wine rents, and the holdings of the tenants must have comprised a considerable portion of arable land. (This is not often certain from the description of the soil : the vague term *terre* or *terrain* is so frequently used ; or the *mayne* is said to be held at so much rent, which in the majority of cases was paid in money alone, or in part of the produce without stating its nature.) Bushels of oats were paid most constantly, but at Listrac, in return for pasture rights, wheat and millet were also given (1318), wheat and oats at Bernones (1327), barley at Langlade in the parish of Moulis (1356), and also at St. Laurent (1455) ; all kinds of corn from the inhabitants of Castelnau (1441) and oats alone from various other places.

Meadows are not very often mentioned : one known as ‘*Prat Lauret*’ appears constantly in the seignory of Lamarque, and there were some spoken of in Castelnau and elsewhere ; but of waste land, moor, and wood for pasture there was evidently abundance. Castelnau still stands in the centre of large woods, and to the south and east extend the vast *landes* of Bordeaux, in those days doubtless still more extensive and uncultivated. All the surrounding villages, as well as Castelnau itself, depended on its

³³ Probably La Mothe, commune St. Laurent-en-Médoc.

³⁴ St. Sauveur is only a few kilometres from Pauillac, celebrated for the two ‘*grands crus*’ Château Lafitte and Château Latour.

pastures for their beasts ; Moulis, St. Julien, Listrac, and St. Laurent had their own pasture grounds, and the men of Le Porge and Lacanau sent their flocks on to the *landes*. Whether many sheep were included among the *bestail* fed on these waste lands it is difficult to judge, but there were sheep rents paid at Donissan (1390), and at Castelnau and Listrac *moutonage* was one of the dues owed by several of the inhabitants. The chief feature about pasture in all these parts is that it was always spoken of as belonging to the lord, and was paid for by the tenants, not claimed by them as a natural right even for their plough beasts. Occasionally a piece of pasture land might be granted out as a private possession ; thus in 1551 a *sol de paduen* in the parish of St. Julien, *contenant 40 lates de longueur et 30 de largeur* was let out at rent for 25 sous³⁵ a year : as a rule, however, the waste lands and woods were used in common, each inhabitant paying the lord so much for his privilege of so doing. A great deal of this pasture rent was paid in corn and hens. Some men for the use of the *paduantage de Castelnau* gave a measure of oats, a bundle of straw, a hen and a *bian* (*corvée* of man or beast) each year (1387). In 1405 one tenant declared that he owed 2 bushels of oats for the pasture, *comme tous les autres de Castelnau*. This might be reduced or varied in individual cases : in 1479 J. de Foix gave permission to one of his men to *pescher son bestail sur tout le padourage de Castelnau* for one bushel only of oats. It was at St. Laurent that the rent for pasture comprised laths for the hoops of barrels as well as wheat and oats (1554). In Lacanau and Moulis only hens were paid, in Le Porge a bushel of oats, and so on. These rights of pasture generally included the privilege of taking firewood and fodder, such as heather and bracken, &c. This is described in a declaration of the inhabitants of Listrac in 1361, who owed a measure of oats, a hen, and a bundle of straw *pour les paduantage et paturage, caulx, sostre* (bracken), *le bruc* (gorse), *le bran* (heather) *et chalitz à faire le feag* (feu), *leu que losdits habitants ont accoustumé de fer en la Seigneurie de Castelnau, avec un bian chacun tenant feu rif* (that is, every resident was bound to a *corvée*) ; and in 1388 the men of Salaunes paid 3 sous and a hen for pasture and had to cut *bruc, bran, jaugar* (reeds) *et sostre avec daily et bigots* (scythe and hoes),³⁶ *de quy les dits seigneurs lur on fait baillette*.

Among all these scattered territories the *seigneur* certainly had some private demesne, since a good many labour rents were due to him, but the greater part of the soil was naturally in the

³⁵ Prices were reckoned in sous and deniers, 12 deniers to a sou and 20 sous to a pound. The payments were probably made in deniers, the sou being merely a standard of value.

³⁶ *Bigot* is translated by Mistral as a fork, or a hoe, or a sort of spade used especially for vines.

hands of the usual classes of sub-tenants—nobles owing homage and *esporle*, free *censitaires* owing rent in money and kind and occasionally in labour, and *questaux* (the villeins of these parts), bound to varying degrees and amounts of base services. Nothing very new appears in the list of those doing homage for their lands. All owed *esporle*, the name in Gascony for a due paid from all fiefs and censives in recognition of feudal overlordships, owed as a rule at the change of lord, occasionally at the change of tenant also. For nobles this was usually some fancy article, though occasionally they gave money. At Castelnau a few paid twelve deniers of *esporle*, but the majority rendered pairs of white gloves and one at Castillon a pair of gold spurs. As a rule no special mention is made of military service, but only of homage. Amongst the homagers of Castillon one curious instance occurs. Bernard de Casaux is said to owe a horse of the value of 100s. each year, and is bound to follow the count of Poitiers should he ever come into Gascony, on condition that he received a fortnight's notice beforehand from his *seigneur*.

The free non-noble lands were here, as elsewhere, the most numerous; they owed in many cases rent in money alone, or corn from time to time, although the majority of corn rents seem to have been paid for pasture rights; but a great many holdings were given in return for part of the produce. The most usual quantity owed in this way was one-fifth, though it varied from one-third to one-sixth, and sometimes a little money might be paid as well; arable land, vineyards, willow plantations, osier beds, and even moorland were let out on this method. In the sixteenth century, at Sainte Hélène, payment in kind was commuted to eight francs annual rent, but the sharing of the produce was generally continued unchanged; wine rents, as has been already seen, increased during the later period. Every now and then *manœuvres* were owed, but not often except by the *questaux*, and only amounted to a few boon-days in the year; one or two *bians* were fairly common, being found, as a rule, among the pasture dues. Probably the annual rent was supplemented by dues of various kinds. The inventory only mentions in a very summary manner from time to time such things as *fromentage*, *civadage*, *millage*, *garbage*, *moutonage*, *pailhade*, &c. (dues of corn, sheaves, straw, and sheep), very probably owed at times of harvest or in return for pasture rights. In 1457 whenever their corn was being thrashed they promised to feed two men, one from each of their joint lords, men doubtless sent to see that the proper corn due was rendered in fair weight and good quality.

The most interesting part of the 'Inventaire,' however, is that concerned with the servile tenants. A whole section in one document is devoted to 'Des questaux et affranchissements d'iceulx,'

and there are scattered notices, sufficient to show the considerable number of these serfs, the usual conditions of their tenure, the methods of enfranchisement, and the differences between the position of bond and free. The original and principal difference between *questaux* and *censitaires* was the payment of an arbitrary *queste* instead of a fixed *cens*; but many other conditions followed, which also became typical of unfree tenants, and often survived after the *queste* had been converted into a definite sum. There were degrees of *questalité*. Some serfs were of actually servile status, not merely holders of land which owed base services; they could be bought and sold, given and pledged (not as actual slaves without their land, but as part and parcel of the soil, although instances can be sometimes found in which men seem to have been given very much as absolute chattels). They were bound in their bodies to their lord and had no methods of defence against him. Others, on the contrary, were barely distinguishable from free men who, having taken up *questal* property, had bound themselves to the conditions inherent in the same. Of these, besides the arbitrary character of their dues, the chief were inability to leave the land, to buy, sell, or bequeath their property, to make contracts of any kind, to marry their daughters without the licence of the lord, and as a rule they were bound to labour services, heavier and, originally at least, more uncertain than those of the free tenants. Most of these characteristics can be illustrated from the servile tenants on the Castelnau estates. Both in the fourteenth and fifteenth centuries examples occur of the sale of serfs. In 1374 four *hommes questaux* of St. Sauveur were purchased for the sum of 819 golden nobles, in 1420 two at Avensan cost 200 of the same, and in 1425 four men, together with their rent of a *tonneau* of wine, were valued at 386 *guianes d'or*.

Arbitrary *queste* is mentioned in 1313, when several men of Cussac-Donnisan and St. Laurent confess that they are *hommes questaux et taillables à mercy*; but often *queste* is simply entered without any explanation (i.e. in the inventory; the original documents may have been more explicit, but very often this is not the case, judging from other instances, since the nature of these payments was understood at the time and therefore explanation was unnecessary. When *queste* was fixed at a definite sum, as frequently happened even when the payers of it were not freed, the amount would of course be entered). Thus in 1393 a *questave*, consisting of house, land, and garden, was bestowed by Archambaud de Grailly and the seigneur de Blanquefort on their *homme questal*, *à la charge de queste, taille, manœuvres, lians, aubergages* (duty of feeding the lord and his followers, very often unfixed in amount and liable to be a terrible burden), *fromentages, civadages, et autres droits de questalité*. Sometimes *questal* lands were bestowed at

nominally very slight payment and services, but this might leave the uncertain quantity still due. For example, in 1361 Martin de Boscau confessed to be a *questal* and to owe each year a measure of oats, a hen, a bundle of straw, and a *corvée* for the pasture; but the *queste* and other services are left unnamed. *Questalité* was attached sometimes to the land alone, sometimes to the person of the serf, and this also appears in the inventory. In most enfranchisements it is 'person and goods' which are freed; but in 1387 a *mayne* is said to have been freed whilst in the hands of the new tenant's father and is now let out at rent. One or two entries contain notices of permission given to serfs to make contracts of sale, showing their inability to do so without leave; but the greater part of the documents inventoried are either *questal reconnaissances*—unfortunately too briefly analysed to give details of the services rendered—or *enfranchisements*, which are always interesting.

From the fourteenth century onwards the serfs were constantly obtaining freedom, as a rule by purchase, but it is in the sixteenth century that these grants of freedom become most numerous. Several facts can be learnt from them—*first*, that many *questaux* had considerable sums of money at their disposition; *secondly*, that the lords were quite ready to get money in return for services doubtless burdensome to exact and not worth the trouble they occasioned; *thirdly*, that from these freed serfs labour services were still often exacted, although now fixed in amount, showing, however, that there was still private demesne to cultivate; and *fourthly*, that even when free, promises of permanent residence were constantly exacted, the lords being naturally anxious not to lose their tenants, nor to have the lands left vacant on their hands, and the services of cultivation unpaid until new holders were found. In 1390 a serf at St. Laurent paid 500*s.* for his freedom, besides binding himself to pay each year 40*s.*, a couple of hens, a bushel of oats, and 7 boon-days; in 1408 Armand Martin gave to Archambaud de Grailly 60 *guyanes d'or*, and owed in future 20*s. cens* and 12*d. esporle*. Some of the notices of these enfranchisements are rather fuller and are worth quoting. In 1470 a whole family at Listrac was made free,

qui souloient estre questaux du dit Sieur, lequel droit de questalité est converti au devoir d'ung tonneau de vin fust³⁷ et ung paire de poules a la feste de St. Michel ou l'ans qu'il ne se recuellera du vin donneroient lvi frans bourdelois pour le dit tonneau de vin: et en outre, dix journaux de manœuvre avec bœuf, charrette, et homme: et ceulx qui n'auront de bœufs avec les personnes, pour raison desdits maisons contientz maynes et autres lieux qui sont en la paroisse de Listrac à Boudan et à Pudos.

³⁷ I.e. in the barrel: occasionally wine dues did not include this, but were carried in vessels of some kind to be deposited in the lord's receptacles; or the wine was owed by the tenant but the barrel provided for him and sent to him by the lord.

In 1536, also at Listrac, the person and goods of a serf were freed and his duties converted into the rendering of 2 barrels of wine and 4 labours—2 with oxen and carts, 2 with his arms only. In 1569 certain inhabitants of Mussan were freed, but had to continue to pay their old rents, dues in kind and service, with the addition of a pipe of wine and 10 boon-days a year as rent. Many instances might be cited, but they are all very similar in character. The tenants have evidently shaken off servile conditions and disabilities, but have to pay rather more heavily in return, and are generally bound to some amount of labour. The benefit of certainty, however, must have more than compensated, as a rule, for some slight increase of fixed work and payments. The lords, doubtless, made sure of their own profits; a good sum of money was generally paid down for the grant, and they could always impose the conditions and services which suited them best. In the seignory of Castelnau alone, between 1563 and 1569, 35 contracts of enfranchisement were made, and 531 francs (no mean sum at that date) were gained by the lord in return.

Such, in very brief outline, is the nature of the material contained in these inventories, which in default of the original documents themselves form an invaluable source of information in regard to the property of the house of Foix and the conditions of landholding in the Médoc.

E. C. LODGE.

Legal Proofs of Age.

THE interesting details given in sworn evidence of age have been frequently quoted and accepted as genuine; but the consideration of a remarkable group of such proofs from Essex shows that even so early as the first part of the fifteenth century they present features which forbid our receiving them as literal statements of fact. There is an element of 'common form' which leads us to infer that the particulars sworn to were fictitious. The particulars had to be supplied, and a conventional pattern was provided for the purpose.

The proof of age of Walter Fitz Wauter, *chivaler*, brother and heir of Humphrey, son and heir of Walter Fitz Wauter, knight, and Joan, late his wife, deceased, tenants in chief, was made before John Kirkeby, escheator in the county of Essex, at Braintree, on Monday, the morrow of Holy Trinity, 1 Henry VI.¹

John Pechard of Hengham at the Castle, of the age of sixty years and more, sworn and separately examined, says that the said Walter, the son,

¹ Inquisitions Post Mortem, 1 Henry VI, no. 54.

completed the age of twenty-one years on the feast of St. Alban last, and was born at Wodeham Wauter, and was baptised in the church of the same town on the feast of St. Alban, 1 Henry IV, his godfathers being Geoffrey, then abbot of St. John's, Colchester, and John Burnham, then prior of Dunmow, and his godmother one Eleanor, now the wife of Edmund Bensted, knight. Questioned how he knows this, he says that on the said feast of St. Alban, 1 Henry IV, his own daughter, Margaret, died and was buried at Wodeham Wauter.

The other eleven jurors, of varying ages, all sworn and separately examined, are said to agree with John Pechard, and give their reasons.

John Borham of Sandon says that on the said feast of St. Alban he was playing with other fellows of his at Chelmesford at football and broke his left leg.

John Marler says that on the vigil of Pentecost, 1 Henry IV, one John Tanner, clerk, was inducted and instituted rector of the parish church of Wodeham Wauter, and on the feast of St. Alban following baptised the said Walter there.

Robert Normaundye says that on the feast of Holy Trinity, 1 Henry IV, at Wodeham Wauter he espoused Rose, now his wife, then servant of the said Joan, the mother of the said Walter.

John Fitz Willyam says that he held a burning torch at the baptism.

William Hardyng says that his first-born son, John, was baptised in the church of Wodeham Wauter on the same day.

John Mereld says that on the said feast of St Alban he was driving a cart laden with hay from the demesne meadow of the manor of Great Teye to the grange of the manor, and fell off it to the ground and broke his left arm.

Walter Tebenham says that on the feast of the Nativity of St. John the Baptist, 1 Henry IV, his father, Richard Tebenham, died at Wodeham Wauter, and divers lands in the same town descended to him by hereditary right.

John Badecok says that he and Joan his wife were at Wodeham Wauter at the time when the said Joan, the mother, rose from childbirth, viz. on the feast of St. Margaret, 1 Henry IV.

Robert Leynham says that the said Walter Fitz Wauter, the father, made a grant in Great Teye to one Richard Abraham, his bondman, by a charter under his seal of arms dated on the said feast of St. Alban. The charter was shown in evidence.

Richard Stanford says that on the said feast of St. Alban his first-born son, John, took priest's orders at London.

Richard atte Hoo says that on Monday before the said feast of St. Alban one John Waryn hanged himself with a noose at Great Teye.

The only positive difficulty in this evidence, taken by itself, is the fact that, according to the list given by Newcourt, who is usually very accurate, John Tanner was not rector of Woodham Walter; but a different light is thrown on the details when they are compared with three other proofs of age taken before Richard Baynard, escheator, in the next year. These are (ii) of Thomas Enfeld, baptised at Little Laver on the feast of St. Luke the

Evangelist, 3 Henry IV,² (iii) Walter Howse, baptised at Thorpe on Tuesday in Whitsun week, 3 Henry IV,³ and (iv) John Marny, baptised at Layer Marney on the vigil of the Assumption of St. Mary, 3 Henry IV.⁴ It is not necessary to set these out in full, but merely to compare the details, which are not always given in the same order.

1. In each case the daughter of a witness died and was buried on the day of baptism.

2. In each case a witness was playing football and broke his left leg on the day of baptism, (i) at Chelmsford, (ii) at Little Laver, (iii) at Thorpe, and (iv) at Layer Marney.

3. In each case the institution of the incumbent of the parish is mentioned, but not in agreement with Newcourt's lists.

4. In each case a witness married a servant of the mother about the time of the baptism.

5. In each case a witness held a burning torch at the baptism.

6. In each case the first-born son of a witness was baptised on the same day.

7. In each case a witness fell off a cart laden with hay and broke his left arm, (i) at Great Tey, (ii) at Great Bardfield, (iii) at Thorpe, and (iv) at Layer Breton.

8. In each case the father of a witness died, in the three last cases on the day of baptism.

9. In each case a witness and his wife were in the place when the mother rose from childbirth.

10. In each of the three last cases a witness had a house burnt immediately after the birth. This detail is not in our first example.

11. In each of the three last cases the son of a witness celebrated his first mass on the day of baptism.

12. In (ii) John Wargon hanged himself with a noose at Little Laver on the day of baptism, and the witness went to see him hanging, and on his return met a woman carrying the child to be baptised. In (iii) John Wareyn hanged himself with a noose at Thorpe on the day of baptism, and the witness went to see him hanging. In (iv) John Warde hanged himself with a cord at Layer Marney, and the witness went to see him hanging, and on his return met a woman carrying the child to be baptised.

These pieces of evidence are not all of equal value or credibility. It would probably be fairly easy to find witnesses who could swear honestly to points 4, 5, 6, or 9; but much more difficult in other cases. There was, no doubt, a substratum of fact; and we may conclude that about the beginning of the fifteenth century some man, with a name like John Waryn, hanged himself somewhere in Essex, some man broke his left leg at football somewhere, and some man fell off a cart of hay somewhere and broke his left arm. But that these witnesses, 'sworn and separately examined,' were all speaking the truth can hardly be admitted. R. C. FOWLER.

² Inquisitions Post Mortem, 2 Henry VI, no. 51.

³ *Ibid.* no. 52.

⁴ *Ibid.* no. 55.

William Farmer's Chronicles of Ireland from 1594 to 1613.

WILLIAM FARMER, the compiler of these chronicles, has long been known to students of Irish history as an important authority for the most striking episode in the government of the lord deputy, Sir Arthur Chichester, afterwards Lord Belfast, viz. the proceedings of the parliament of James I in 1618-4, and the disputes which arose between the governing party and the opposition regarding the Irish borough representation. In 1772 John Lodge, the antiquary and genealogist, published in the collection of Irish state papers known as *Desiderata Curiosa Hibernica* the several documents there brought together under the title of 'A Chronicle of Lord Chichester's Government of Ireland; containing Certain Chroniculary Discourses for the Years of our Lord 1612, 13, 14, and 15, Collected and Gathered by William Farmer, Chirurgeon.' Lodge does not state where he found the manuscript from which he printed these 'Chroniculary Discourses.'

In a prefatory address to Chichester, Farmer explains that his chronicles for the concluding years of Chichester's administration formed only a part of a larger work which he had previously submitted to his patron in the form of

a brief extract of such discourses as I had collected out of many ancient histories and chronicles of this kingdom, divided into four parts or books, the last thereof containing a supply of the history of Ireland from *anno* 29 Eliz. (where Hollingshead and Hooker left off) until this present year 1615. The whole work (such as it was) I intended to have dedicated unto your honourable lordship if time and my ability would have permitted, yet lest the seed of your honourable bounty (which hath always afforded both comforts and sustenance to mine old age) might not seem to be sown upon a soil altogether barren and unprofitable, I have drawn out such discourses and remarkable actions as have happened within these five years last past.

It may be concluded from the last sentence that Farmer failed to accomplish in its entirety his original design. But that he made much progress with his fourth part, or book, in itself a considerable undertaking which covered the important period commencing with the plantation of Munster and ending with the close of Chichester's administration, is evident from the chronicles now printed from a manuscript in the Harleian collection at the British Museum. Two Farmer manuscripts survive in that collection. Of these that numbered 5022, a paper book containing 189 neatly written small quarto pages and entitled 'Certaine Chronicularie Discourses for the Years of our Lord 1612, 1613, 1614, 1615, Collected and Gathered by William Farmer, Chirurgeon,' is manifestly the original of the work printed as *Desiderata Curiosa Hibernica*. The other, numbered 3544 and entitled 'Annals of Ireland from the Year

1594 to 1613,' is plainly the section, or the greater portion of the section, described by Farmer in his dedication to Chichester. No express indication of the authorship appears in the manuscript; but the identity of the handwriting with that of the original of the 'Chroniculary Discourses,' together with the fact that the concluding pages of the annals, from 1614 onwards, are identical with the later portion of what is printed in *Desiderata Curiosa Hibernica*, and include the draft titlepage for the latter work, supply sufficient evidence of Farmer's responsibility for both sets of annals.

Of 'William Farmer, Chirurgion,' little, if anything, is certainly known. That he was a confidential friend of the lord deputy Chichester is evident from the dedication of the 'Chroniculary Discourses.' The reference to his financial losses at Adare, p. 110, *infra*, suggests that he may have had some property in the south of Ireland; but his name does not appear in the calendar of patents or grants of his time. It has been surmised that he is identical with the person of the same name and profession who published in Dublin in 1587 William Farmer's 'Almanack for Ireland,' the first almanac, so far as is known, ever published in that country, and a work of which, so far as is known to me, no copy remains extant. The value of Farmer's annals as a contribution to the history of Ireland under Elizabeth and James I will be discussed in the concluding portion of these chronicles. C. LITTON FALKNER.

British Museum, Harleian MS. 8544.

Chronicles of [Eliza]beth Quene of Ireland. Russell Lo: Deputie.

Anno 1594: Sir William Russell received the sword and was established
August 11. Lord Deputie generall of all Ireland upon the 11 daye of
Anno reg: Auguste.¹
36:

It appeareth in these former discourses that the rebbels were growne very stronge chiefelie in the north and in the province of Leynster; and therefore the Lord Deputie being verie provident out of these supplies

¹ Throughout these chronicles the author gives under date in margin 30 September in each year, being the day of the annual election, the names of the mayor and sheriffs of the city of Dublin. It has not appeared necessary to encumber the text with these notices, as the succession of the mayors and sheriffs of Dublin is correctly given in Harris's *History of Dublin* and elsewhere. The names as given by Farmer correspond in all cases with the existing record; but for the mayoral year 1605-6 he makes an addition to the roll. As given in Harris the mayor for that year was John Brice, and the sheriffs John Benes and Richard Brown. Farmer gives the names for this year as 'John Brice mayor, John Bennis, James Taylor, Ric. Browne sheriffs,' and notes under this entry that 'James Taylor died in the yeare of his shirvaltie, and Rychard Browne served owt the rest of the yeare.' This statement accords with the recital of the sheriffs' names for the same year in Gilbert's *Dublin Corporation Records*, vol. ii. pp. 448, 454, from which it appears that Taylor and Bennis were sheriffs in the early part of the mayoral year, and Bennis and Browne in the latter portion, though the demise of Taylor is not recorded.—C. L. F.

latalie arrived placed stronge garrisons in fit places for service, the better to curbe and cut offe the mallice of the rebbels.

Anno 1596:
September 30
November 17.
Anno reg:
89: This year the Lord Deputie made sundry jorneyes ² agaynst Feagh Macke Hugh and his adhearentes and in one jorney which he made, when he was upon service in Glann-malhur, and [being informed] that Sir Peeter Carew was slayne thear; then

he presentlie called for Captaine John Chichester that was serjent majore of the field and said unto him, 'it is tolde me that in this place the Quen did lose a verie worthy knight, that was slaine heare, namely Sir Peeter Carewe, and I do hope that heare againe hir majestie shall find another as worthie as he' and so comaunding him to kneele, he dubbed him knight, and so proceeded forwards in the service: this was donne

Anno 1596.
March 17. on the 17 daye of March 1596 and the feast daye of St. Patricke,³ and in the same weeke following the Lord Deputie sent pree-

Anno 1597.
Maye 3. vitlie, letters to all the garrisons that laye neare theare about comaunding the captines to drawe foarth their companies and to meet him about midnight at a certain place and houre appointed, and the Lord Deputie himselfe the daye before, not as though he would goe upon anie service but as though he would ride on hunting, went foorth with certaine horsemen till he came to the appointed place, wheare all the captines mett him accordinglye and in the morning by the break of daye they entered into Glann-malhur. and went through the whole fastnesse of the evening, killing all that came in ther waye; so that Feagh Mack Hugh himselfe was glad to flye awaye single, in hope to save his owne life on the rockes, but one Sargent Wilbram whose boys did know Feagh verie well told his master that Feagh himselfe was hidden behind such a rocke, then the sargent came to the rocke and wounded him verie sore with his hallbert, then Feagh cried to save his life, for he was a verie good pledge: the sargent answered that his head was the best pledge that he did look for, and so killed him and cutt of his head, and carried it to the Lord Deputie, who greatlie rejoyced when he saw it, highlie comending the sargent, and rewarded him liberallie, and so the Lord Deputie dismissed the soldiers,

the 8: of
maye. everie one to their owne garrisons and himselfe returned from his hunting, and went whear he toad the Lord Borowes.⁴ He indevered with all his power to doe service effectuallie against the enemies, and for the better performance thearof he gathered the forces together out of all the garrisons in Ireland, so that he had a verie stronge armie and sett forwards towards the north for Tyrone was then in action.

The 4 of June Captin George Bingham was cruellie murdered being in his bed in the Castell of Sligo, by one Ulyke Bourke, that was his owne ensign bearer.

About this time Sir John Norreys Lord presidente of Munster, being male-content, for what cause it was never perfectlie knowne. but howe so

² Memor: that Sir Conniers Clifford was appointed to be chief commissioner in Conaught, in the place of Sir Richard Bingham, the 3 of January 1596.

³ The same Sir John Chichester the third day of Maye next following was made governour of the town of Carrigfergus, and chief commaunder of all the garrisons theare and theare aboute.

⁴ Lord Burrows Lord Deputi generall of Ireland the 22 of May 1597.

ever it was he rode into Munster theare to sojorne for a time and to recreate himselfe with his brother Sir Thomas Norreys, whear he fell sicke of an extreame fluxe and died theare, upon the 8 of September 1597. In whose office of Lord president of Munster his said brother Sir Thomas Norrice immediatlie succeeded by patent bearing date the .4. of September in thaforesaid yeare.

The Lord Deputie having spent the moste part of the sommor in procecuting the service against Tyrone with great vehemencie, labour and travell both night and daye in wette and drye without ceasing, spending his bodie still eyther on horse backe or on foote, yea some times he would marche on foote as well as the comon soldiers, yea strippe himselfe, and wade through waters of bogges, bare footed and barelegged and all to accomlishe such exploites as he intended against the enemyes, whearby his bodie was greatlie weakened, brused and shaken, in such sorte that he was not able to keep the field through weaknes of his bodie and therefore did withdrawe himselfe to the Newrie, wheare he died the 18 of october next followeing :

The Lord Deputie being now deceased, the councell of Ireland in reward of the present service, elected and chose Sir Thomas Norreys, knight, Lord president of the province of Munster to be lorde Justice for the better government of the kingdom, untill further directions should come out of England : whearupon he was sent for into Munster with all expedition, and being come to Dublin, the sword was delivered unto him together with his othe and so he was established Lord Justice by thaauthoritie of the councell in Ireland, upon the 19. daye of October 1597. The rebbels in the north were now verie busie about Carricfergus, whose chief commanders weare Randall Mc Sorle and James his brother, and weare the chiefe in spoyling preying and robbing of the country, speciallie the garrisons and townes wheare the soldiers and Englishemen continued : whereupon Sir John Chichester being governour at Knockfergus apointed a day to parle with those chiefe rebbels, and being mette together, one of the Mack Guyres that was among the Englishmen, went secreatlie among the rebbels and told them, that if ever they wolde do anie thing upon the Englishe let them do it that day for the English were nott then well provided : whearupon the rebbels began to quarrell ; and thear Sir John Chichester was slain and almost all that weare thear with him upon the :4. of November 1597 near to Loughmorne. About this time began a newe practice of rebellion, not heard of before, for like as the young phoenix ariseth alwayes out of the ashes of the old, so at this tyme the yonge frye of olde rebbels began to crawle about in Munster, which weare of the septe of the Geraldines, namelie, James Mc Thomas of Desmond, who challenged the earldom of Desmonde, and John Mc Thomas his brother. Theise with their adhearents practized privatlie howe to disturbe the state of the whole kingdom, but chiefeleie the province of Munster, and for the begininge or entrance into the action, one Morroghe Baccagh Mc Shehie, (whose ancestors had bene ancient followers to the erles of Desmond) was the first that rayseed his head in Munster, in those dayes, as shall be said heare after.

The Quenes majestie and the counsell in England did holde it verie necessarie that Sir Thomas Norreys, the now lord Justice shold rather

attend uppon his charge in the province of Munster, then to continue in the place of Lord Justice, whearupon letters of direction weare posted over,
Anno 1597
November 17
Anno reg: 40: that the counsell of Ireland sholde chose two Lords Justices videlicet for one that reverend father in God, Adam, Archb: of Dublin and Lord Chauncellor of Ireland and for the other Sir Robert Gardiner, knight. These two received their othes together with the sword; upon the 27. daye of November 1597 and Sir Thomas Norreys returned Lord
Anno 1597.
November 27
Anno reg: 40 president into Munster as he was before: and in the yeares followe- inge the same Murrogh Baccaghe of whom we spake before, got under his leading about some fourscore rascalles with weapons and went up and downe in Munster robbing and making stealthes, heare and theare, some tymes killing of people, and some tymes burninge of townes; yett in such a fashon that the soldiars could not meete with him of a longe time: then the Lord president made one Piers Lacye (a gentleman of the contrie) captin over 100 kearne, givinge them wages, and warrant to take meat and drinck upon the contrie, to the intent that the sayd captin with his kearne should follow the said Murrogh Baccagh till he might be rooted out.

While these things weare a doeing in Munster, Onie Omore and Brian Reagh with their broode of rebbelles weare verie busye about the English pale, the Countrie of Kyllkenie, Ossorie and places bordering
Anno 1598.
Marche 26. uppon Leyse and in the month of Maye they went into the countie of Weixford to spoyle; wheare Captine Rychard Masterson being seneshall of the countrie called for suche of the Quenes forces as then laye in the countrie amonge whom thear was fifty of Sir Harrie Wallop's soldiars that laye in garrison at Enniscorffie and in all thear rose foorth upon the 18: daye of Maye, being Thursday to the number of about 400
Anno 1598
May 19. men: and the next daye being Fridaye and the 19. of Maye they fell in skirmysh with Onie Omore, Brian Leagh and the rest of the rebells; and before ten of the clocke before noone thear was slayne of the Quenes soldiers .309. persons and the rest put to flight, to save themselves. It is reported that this mischance happened chieftelie throughe willfullnes of one Goldwell that was lieftenant to Captine Wilton, who drue foorth his soldiers, but wolde not give them powder tyll he sawe whether theare weare cause of service or not. So when he sawe the enemies then he went about to give the powder, the soldiers comming thicke together to receive powder, it fell on fire and so was consumed, besids that many of the soldiers wear sore hurte thear, which nowe the rebbels seeing this mischance toke thadvantage of the tyme, and charged the soldiers uppon such a suddayne that they could not tell howe to defend them selves, and so weare overthrowne as before is sayde.

In the month of August next followeing, Sir Harrie Bagnall marched with an armie of about 3000 men to the Blacke Water near to Ardmah whear he mette with the earle of Tyrone who had with him also a verie stronge armie of the Irishe, and as Sir Harrie Bagnall was preparing to procure skirmishs with the enemies, one of them lay in some secret place and discharged at Sir Harrie and hit him in the forehead whearof he died presentlie: and then the enemies maintained the skirmishe so hotlie that thirtene of the chief commaunders weare slayne and almost the whole overthrowne: and some say that theare was also a mischance

by burning of powder wherby the English armie was greatlie indomaged. This overthrowe was given uppon the :14: dayes of August being Monday : anno : Octo : [praedicto?] 1598 :

About this time there were certaine men, videlecit Thomas Lapley, of Ballrudderie, yeoman, and George Cowell, of the same, and John Shelton the yonger of Dublin, and one John Lynan: these foure with whosoever else their consorts, had layd some traytorous plottes of conspiracies, concerning the King's Castell of Dublin, to surprise it and to gett the possession thereof into their owne hands, but as God would have it, one of the foure, namelie, John Lynan, calling to mind what a divelishe practice they weare goeing about, his conscience began to prick him and he went to the Lords Justices and revealed the whole plott of the treason unto them whearupon the other thre weare presentlie apprehended and committed to the Castell of Dublin, whear

Anno 1598
Mense
October.
Anno reg:40. they remained untill the beginning of the Michaelmas Tearme at which tyme the lords Justices directed a commission unto the mayor of Dublin that those thre before named, shuld be arraigned in the tow sell of the cittie before him selfe, and before certaine of the preevie councell and before the judges of the Kings Courts, which was done accordinglie, and they weare araigned, founde giltye, and condemned by an orderlie course of lawe, and finallie weare executed. And John Linan was rewarded with a pencion of 2^s vj^d per diem.

While those troublesome events weare performinge the aforesaid Murrough Oge Mackshehie, surnamed Baccagh, continued his robbing, burning, and killinge, in the province of Munster, notwithstanding that Piers Lacie was apointed to prosecute him with 100 kearne of the countrie, who did (as the olde proverbe saithe) so hould with the hare and runne with the hounde, that Murroghe Baccagh contynued his practices by startes allmost two years, but at the last he was taken and hanged in chaynes without the north gate at Corcke, but not by the prosecution of Piers Lacie, for he went himselfe into open rebellion with the Geraldines as it will plainlie apeare heare after.

Now the Geraldines, before resited, videlecit, James Fitz Thomas of Desmond, and John his brother, being nowe greatlie encouraged, by those late overthrowes which had been given to the English, supposing thereby that all should be their owne, that James of Desmond began to shew himself openlie, by the title of the earl of Desmond, and had combyned with the Omores, the Omulbrianes, the Clan Gibbons, with Piers Lacie, John Barrie, and manie other, so that thear was expected a great armye to arise up in Munster. With the same titularie earle of Desmond otherwise called the earle of the Soogan; Onye Omoore and Brian Reagh came with more than 1000 men into a great fastnes of woods called Killaquyge bordering upon the county of Limericke wher the full conclusion was made concerning the prosecution of their wicked actions; and their numbers daylie increased so that in a short time they were esteemed to be more than 2000 men.

Sir Thomas Norreys, the Lord president of Munster had not at that instant in all the province but 250 Englishe soldiers, with which he drew to Killmallocke, and sent speciall commandement to all the noblemen in

Munster to repair thither unto him with such forces of horse and foote as each of them was able to make with vitteyles for 20 dayes, according to their duties of aleagiens, also he sent commandements to all the undertakers; likewise that they should bring in everie man his proportion of horsemen and footemen, according to the tenures of their signiorie patents, and when they were come all together there was not above 800 men English and Irishe and those but very slenderlie furnyshed. Yet notwithstandinge the lord president woulde have marched towards them eyther to fight with them and put them out of the countrie or at the least to parte with them, but the Lord Barrie Vicount Battiphant persuaded him to the contrarie, alledging that he had but a small companie to incounter with so manie, and that the greatest part of them which he had weare Irishe, and thearfor not to be trusted. Avouching that if ever he entered into skirmishe with the enemyes the better parte of his owne people wolde turne to the rebbellis and fight against him selfe to the great endangering of hir majesties honor and dignitie, so upon these perswasions he stayed certayne dayes and issued not forth at the laste one. De-la-Fielde, that dwells in the countrie, came unto Killmallocke upon the 4 daye of October 1598 and certefied the Lord president, that this newe earle of the Soogan, Onye Omoore, Brian Reagh, John Barrie, brother to the Lord Barrye before mentioned, and Piers Lacye, had drawne forth all their forces out from Killaquyge and weare mustering them to the number of 5000 men with their cullours spread upon the hill of Knocke anie which was but three myles from Killmallock, and that he thought they wolde campe verie neare thear unto that night. Upon this newes, which the Lord Presidente thought had bene true, he dismissed all the forces of the countrie willing everie man to go home and to defend himselfe as well as he coulde, and so he left 100 of the soldiers in Killmallocke to kepe the towne, and himselfe rode presentlie to Mallowe and left a strong warde theare in his own castell, and from thence he rode to Coroke and stayed theare tyll ayde came out of England.

Nowe the rebbellis being yet in Killaquyge, and hearing how suddenly the Lord President was departed and that he had dismissed his forces, they presentlie raysed theyr campe, the 5 of October. and marched throughe the countie of Limbrycke burninge whose townes they listed and preying whom they would and camped that night at Fanningstowne. The next daye they marched, burning and spoiling as before, and camped that night in Adare; whear the writer hearof lost more then 400 pounds worthe of plate, corne and cattell; the next daye being Saterdaye and the 7 daye of October this wicked crue marched to Ra keele [Rathkeale] and so remained a long tyme in the barony of Connelagh [Connello], daylie sending companies abroad to burn and spoyle, to murder and kill and to breake downe the castells of the Englishmen or any other that would

Anno 1598
November 17.
Anno reg:
41.

not allow of their doing. The castell and house of Mallowe was well defended by the warde, but the towne was burned by the enemies and the iron milles were throwne downe spoyled and burned that weare theare. Likewise the castell of Askeyten was worthelie defended by Captin Francis Barkley who was the onely staye of all that county in that myserable tyme, relieving many good subjects

both English and Irish by receiving them in to the Castell of Askeyten, for whose good service sundrie wayes performed he was knighted shortly after by the earle of Essex when he was Lord Lieutenant general of Ireland.

When the Lord President had received some supplie of soldiers, he returned from Corcke and relieved the garrison at Killmallock with men munition and vittayls, and as he marched to and fro the enemies procured often skyrmisses whearein sundrie weare wounded and some slayne, the enemyes thus spending the winter and haveing almoste fre passage to go whear they lysted devised when the nights wear long howe to assaulte the towne of Killmallocke and so rase it downe to the ground because it was a comon receptacle for all the Englishe garrisons : and having made some thre score ladders, in the woodds thear abouts began to drawe their forces together and came to a fayre place about a mile from the towne whear they consulted how to performe the assault which they could not do tyll a castell that stoode verie neare to the towne walls whearin was a warde of Englishmen weare layd shold be wonne, which castell belonged to the Whyte Kighte that was a chiefe man amonge them selves, and he consented rather to overthrowe his owne castell then to leave thassaulte of the towne unperfected, and in the evening the rebbels drue to the towne and stood about that castell, and sett pyners a worke to undermyne the same, the captines within the towne furnished the walles with the solders and townesmen together, everie man accordinge to his quarter and a Walsheman one Captaine Progers had the charge of that quarter nexte to the castell, who played upon the enemies verie lustelie. All the night longe the massones and pyeners wroughte lustelie in hope to worke throughe the walle before daye. When the night grew very darke Captaine Progers called in Walshe to one of his own soldiers that was in the castell and bade him to hold waddes with light over the castell walles and at all the windoes that those in the towne might see wheare at to shoote they in the castell agayne cried unto the shott in the towne bidding them to shoote lowe and so they continued shooting from the enemies into the towne and contrary wise tyll it was morninge ; and when the enemies saw that the night's worke prevayled them nothing they drew awaye their armye and left their master mason and fourteen others slayne dead and went theyr wayes. Thear was none of the Englishmen slayne, but thre or four weare hurt and the rebells neuer after came to assault Killmallock any more.

The Lord President being sufficientlie supplied with men, munition, and vittayles, made sondrye jorneyes, and marched from place to place, doing service upon the rebells, cuttinge them offe in all places whear he could find them, and their forces began to grow weake. Onie Omoore and Brian Reaghe departed from the earle of Soogan in some displeasure notwithstanding the earle helde out indifferent well, being supported by the barrones of Lixnawe and Cahir by Oconohor Kierie, the White Kighte, the knights of Kierie and of the Glin, John Barrie, Piers Lacye and manye others, and, the winter being thus paste over in jorneyes and services on both sides, the earle of Essex was appoynted to come over into Ireland Lord Liefertennat generall of the kingdom, and the Lords Justices weare to be discharged. Sir Arthur Chichester a verie worthy

and valiant gent. whose services done in France at the siege of Amiens and other places was honoured as he well deserved at the handes of the French King with the order of knighthood was now employed by the Quenes Majestie of England, to the services in this Kingdom of Ireland and arrived at the Skyrries uppon the 22 daye of Marche, havinge the conduction of .1000. men, who weare apoynted to lye at Droghedah untill further order might be taken for them.

Robert earle of Essex arrived at Dublin, Lord Lieftenante of Ireland uppon the 15 daye of Aprill, who presentlie as he landed went to Sir Harrie Wallop to visite him lyeing sicke one his deathe bed, and havinge delivered unto him a fewe favourable speeches from the Quene's Majestye the earle tooke his leave of Sir Harrie, and so departed to his lodging; and at the very same instant Sir Harrie Wallop yielded up the ghost and died to the great grief of all his frinds and favourites.

When the lord lieftenant had received the sword and was established in the governemente of the kingdom he presentlie prepared to do some service, and firste he mustered all the soldiers in the kingdom. Some of the old captines he discharged and som other newe captines he erected, and also sundry sortes of officers in the field as seemed good to him in his wisdom, and so he established an army of 16000 soldiers, horse and foote, and placed them in garrisons and fitt places of service amonge others he apoynted Sir Arthur Chichester to be governour of Knockfergus, and sent him thither with 400 soldiers and tooke with himselfe a sufficient proportion and went into Munster settinge forwards from Dublin. He also sent into the countie of Wicklowe, whear Sir Henry Harington was seneshall, Captaine Wardman Captaine Mallarye Captaine Adam Loftes and Captaine Lyndlie with their bandes of foote and Captaine Charles Montague with :50: horse videlicet in all 450 to kepe those borde, because Pheylim Mc Feagh, Redmond Mc Feagh and Walter Mc Edmond which weare chieffe comandars in that tyme of rebellion had under them great forces and strenthe of rebelles, and lykwyse other places as he thought needful, and takinge onto himselfe about 1800 men horse and foote departed from Dublin the 9 of Maye and as he

travelled by jorneyes towards Athye Sir James Fitz Piers surrendered a strong castell called Grange Vellow to the Lo. Lieftenant who left one Captaine Conwayne thear with a garryson. The :14: of Maye. some of the Lord Lieftenant's horses weare taken by the rebelles, but they were quicklie recovered agayne and some of the rebelles were slayne and some of their horses weare taken. The sixtenth daye the forte of Leix was relieved with vittelles and munition; the :17: daye of Maie Onye Mc Rorie Omore did mayntayne skymishes iij or iiij howres with the armye as they marched through a passe: in which skymishe Captaine Gardiner and Captayne Boswell were slayne with some other soldiers and diverse other were hurte namelie one Edward Bushell a verie forward young gentleman.

The 18 daye of Maye the Lo. Lieftenant put a ward in a castell belonging to Vicount Mountgarrett called Balliraggat and so marched on his jorneyes until he came to Fethart; the 28 of Maye he went in to Cloane-mell, and thither came to him from Waterford two pieces of great ordinance, videlicet a cannon and a

Anno 1599
March 25:
Aprill :15:
Anno reg: 41

Anno 1599
Maye 9.

Maye 18.
Maye 22.

culvering and a regiment of soldiers under the commande of Sir Henry Norreys.

The 25 of Maie the Lord Lieftenant marched with his armie to the castell of Care [Cahir] which was summoned, but they would
 Maye 25 not yelde. Then the great ordinance was brought to the
 Maye 27 castell, and all the armie incamped round about it. The
 27 daye being Whitsondaye was spent in divine prayer and
 preaching tyll towards evening and then the culveringe began to playe
 May 28 upon the castell. This daye the canon played also at the
 castell and brake the carriage, but it was soon mended againe: and a
 Maye 29 breache being made the soldiers upon the .29. daye at night
 entred the breache, whear Captaine Carie was slaine and Captaine Brett
 hurt, this not withstanding thear was slaine about three score of the
 rebbelles and the castell recovred whearin the Lord Lieftenant lefte a
 June 1 stronge warde; and so marched by journeyes to the towne of
 June 3 Cashell and from thence into the countie of Limbric. This
 daye the Lord Lieftenante went to see Sir Thomas Norreys
 the lord president of Munster, who was hurte in a skirmyshe by the
 rebells about .3. dayes before, and so they went bothe to Limric. This
 June 6 day newes came that Sir Harrie Harington had a great over-
 throwe at Wicklowe to the losse of almoste 400 men. The 8
 June 8 daye his lordship marched to Athdare, wheare the rebells
 offered a light skirmishe, but the army marched a dayes journey or two
 further westwarde and then returned backe towards Killmallocke and as
 they marched through a passe the rebells offered verie hott skirmishe
 thear. Sir Harrie Norreys was shott into the legge and all the bones
 broken, which came to a gangrene wheareof he died, and one Captin
 Jennings was hurte and many of the rebells weare slayne. This
 June 13 day the Lord Lieutenant rested in Killmallocke; the next
 day he, together with the Lord President, went in to the Lord
 June 16. Roche, his country, and camped at Glanowre. This day the
 enemies again offered skirmish to the army as they marched, and then
 Sir Harrie Davers was hurt in the face with a shot, and so the army
 marched quietly after that till they came to Waterford, which was upon
 June 20 the 20 day of June: and now there came in to the Lord
 Lieutenant to Waterford: Theobald Butler, lord of Chahir,
 whose castle of Chahir was lately won; Sir James Fitzpiers, in whose
 castle Captain Conwaye was left in garrison; Thomas Bourke, brother to
 Richard, Lord Bourke, against whom in skirmish the Lord President of
 Munster was hurt; two of the Buttlers, brethren to the Viscount Mount-
 garret, in whose castle also a strong ward had been left. These men
 were received into her Majesty's favour, and pardoned upon their humble
 submission.

This day the Lord Lieutenant departed from Waterford, and travel-
 June 24. ling by journeyes to the passage, and so to a castle of Sir
 Thomas Cokeley's, and so from thence to Enistorphie [Ennis-
 corthy] and to Fearnas, and after to Arcklowe; and by the way Phelim
 Mc Feagherie Mc Hughe, and Donoghe Spaignee skirmished with the
 army. The Lord Lieutenant here shewed himself wise and valiant, for
 when he espied an ambuscade of enemies lodged in a secret place he,

with the earl of Southampton and a few horsemen, charged them home and drove them to the bog, and slew divers of them without loss of any man, except one captain (Coxe), who was slain in the bog, and Captain Constable, Captain Edmonds and Captain Roche were hurt; and they encamped at Arklowe that night and marched away the next morning.

Julie 2. The second of Julie Sir Henry Harrington came to meet the

Lord Lieutenant, who gave unto him a very heavy cheque for the late overthrow of the English men at the foord of Arushe, about 42 miles from Wicklow, the burden of which mishap was laid upon Sir Harrie Harrington as a thing done by his negligence; and as it happeneth oft times that one misfortune followeth another, even so at this time it happened that as the Lord Lieutenant was riding into the new castle, where Sir Harrie Harrington had made very sumptuous provision for to give him entertainment, the ward of the castle discharged a volley of shot in joy of his coming; but one of the shot, having a bullet in his piece unknown, hurt one Mr. Robert Yonge, son and heir to Sir John Yonge, which rode very near to the Lord Lieutenant. This mischance stirred up his mind in some more displeasure with Sir Harrie Harrington, who, together with Captain Linley, Captain Mountague and Captain Malliow [Mallory], were committed to the marshal of the field [. . . several lines erased]. He encamped that night in a very pleasant garden

July 3. belonging to the castle of Wicklow, and the next day, being the 3 of Julie, he marched to Moncktowne to Sir Girald

July 4. Aylmor's, where he was most honourably entertained. The 4. day of Julie the Lord Lieutenant went into Dublin, where he was joyfully received.

The Lord Lieutenant in this his journey was bountiful, liberal and courteous to all men, rewarding every man according to his deserts, and according to the nature of martial discipline endeavoured to requite all men according to their martial deserts, as to those who deserved well in the field he gave the due honour of the field, videlicet that honourable name of knighthood to such as worthily deserved it. He dubbed 27 knights in this short journey, whose names do here follow as orderly as in my simple skill I could devise to set them down.

- | | |
|----------------------------|----------------------------|
| 1. Earl of Rutland. | 15. Sir William Godolphin. |
| 2. Lord Gray. | 16. Sir Robert Cunstable. |
| 3. Lord Mountegle. | 17. Sir Francis Barkley. |
| 4. Lord Crumwell. | 18. Sir George Thornton. |
| 5. Sir John Davis. | 19. Sir Francis Rushe. |
| 6. Sir Arthur Champernoun. | 20. Sir William Warren. |
| 7. Sir James Deveroxe. | 21. Sir Richard Masterson. |
| 8. Sir Robert Vernam. | 22. Sir Francis Lane. |
| 9. Sir George Manners. | 23. Sir Thomas Osborne. |
| 10. Sir Henrie Carie. | 24. Sir Simond Weste. |
| 11. Sir William Cunstable. | 25. Sir John Poole. |
| 12. Sir Carie Renoldes. | 26. Sir Thomas Mostren. |
| 13. Sir Cuthbert Halsall. | 27. Sir Terence Odempsie. |
| 14. Sir William Courtney. | |

The Lord Lieutenant, after his coming to Dublin, called a martial court, and there was one Pierce Walshe, that was lieutenant to Captain

Adam Loftus, that was condemned to die by martial law, for that it was proved that he, in that day's service at Wicklow, gave such way unto the rebels, either by running away with his men, when he ought to stand to the fight, or else by private consent with the rebels to seek the overthrow of the Englishmen, for by his neglecting of the service that day were slain about 400 tall soldiers, namely, Captain Wardman was slain out right in the field, and Captain Adam Loftes was sore wounded there, and died the same night at Wicklowe, and sundry officers were there slain, both lieutenants, ensign-bearers and sergeants, by which overthrow the rebels were greatly encouraged. For which neglect the said Piers Walshe was censured to die by the judgment of a martial court, and was shot to

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Julie 6.

death upon Hoggin Greene: and Captain Mountague, Captain Lindley and Captain Mallarie were discharged out of all entertainment, and Sir Henrie Harrington set at liberty again.

After this the lord lieutenant made a journey into the north, where he did parle with the earl of Tyrone . . . in private between themselves, where they grew to certain conclusions, and framed certain articles of agreement that the wars should cease for a time, as well as of the Queen's as of the rebels,' and I do remember that I have seen the articles, which were 9 in number. The first was that Tyrone and his adherents should hold and enjoy what they had gotten; and all the rest were very like unto this. Those articles, and also his private conferences with an open traitor, was greatly disliked of by the Queen and by her council in England. In the mean time, while these things were adooing in the north Sir Harrie Norreys died in Mounster, upon the .15. of August, and the 22. of the same month died Sir Thomas Norreys, that was Lord President of Mounster, of an apoplexie which grew in his head after a wound that he had received in a skirmish with the enemies. Their bodies were embalmed, and were rowled up in cearclothes, and carried over into England to be buried.

The Lord Lieutenant now having concluded all articles and conditions whatsoever between him and the earl of Tyrone, returned to Dublin, and there made preparations as it were in a secret manner to pass over into England. He made Sir Arthor Chichester Sarge[ant] Major General of Ireland, and he elected two Lords Justices to govern the kingdom,

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Septem-
ber 27.

namely, Adam, Lord Archbishop of Dublin, and Sir George Carewe, Kt., Treasurer of Warres. These two received the sword, and were established lords justices, and the earl of Essex, who was Lord Lieutenant General of Ireland, departed into England without license from her Majesty, whose sudden coming into the court was not well liked of, although little were said therein at the first.

The rebels which were most stirring in Ireland at this time were these as here do follow; first, the earl of Tyrone and his adherents in the province of Ulster, as before is said; 2. Donoghe Spaigne; and Phelim Mc Feagh Mc Hughe among the Birnes, the Otoolcs and Cavanaughes in the province of Leinster; Onie Mc Rorie O'More and his cousin Bryan Reaghe in Laysse of the same province. James Mc Thomas of Desmonde, surnamed earl of Sougan, with his brother John, who pretended title to the earldom of Desmond, with Murtagh Mc Shehie,

otherwise called Murtagh Backoghe, Pierse Lacie surnamed Brogho flugho, with their adherents, in the province of Munster, with others in the province of Connaght, which had been great actors in the former times of rebellion, now in some sort yielded with Tyrone unto the articles and conditions of the cessation, and remained in some quietness.

At this time arrived in Ireland Charles Blunt, Lord Mountjoy, to be Lord Lieutenant of all Ireland, who governed right worthily. During his time and after the death of Sir Thomas Norreis, that was Lord President of Munster, Sir Harrie Poore and Sir George Thornton, knights, were appointed commissioners, together with Sir Warham Sentleger, knight, to have the government of the province till further order might be taken.

Anno 1599:
Lord Mount-
joy arrived.
Lord Lieu-
tenant.

The rebels, notwithstanding the former conclusions and articles of cessation, yet they ceased not to practise secretly some treacherous inventions against the times to come, and to that purpose the earl of Tyrone, about the later end of February made a journey into Munster to parle, and to take pledges, and to have conference with Florence Mc Artie, and other great men there, concerning their truth and loyalty unto him against the English nation, which thing when the Lord Lieutenant understood he presently sent Sir Oliver away with 5. or 600. men, with money^s and munition, to the earl of Ormonde, requesting him to raise up his country forces and together with the soldiers to lie upon the borders of Leisse, the counties of Kilkennie and Tipperary, which wayes of necessity the rebel must pass with his army; and, being come so far as the Hollie crosse, the earl of Ormonde was in a readiness to join battle with him, but he, perceiving that, kept himself on the other side of the river of the Suir, and took another way into the White Knight's country, marching an extraordinary pace, so that we could not follow him. Then the earl of Ormonde determined to lie in the country till Tyrone returned back again.

The earl of Tyrone, with his army of rebels, marched forward into the county of Cork. Thence after he had conferred with Florence Mac Kartie and others of the country concerning their rebellious practices, and had received their oaths and pledges, he returned homewards. But Sir Warham Sentleger, being one of the commissioners there, raised the bands of the garrison, and procured skirmishes with some of Tyrone's horse men, videlicet with Mc Guyre and his troop of horse, in which skirmish Sir Warham Sentleger encountering with Mc Guyre, each of them slew other; and divers others were hurt and were slain; but when Tyrone returned back to go into Ulster, he made somewhat more haste than before, for when he drew near to the earl of Ormond's camp, they marched so fast that they travelled in one day about 88. or 84. miles, with bag and baggage, whereby they over went the earl of Ormonde before they were heard of, and the earl dispersed his forces, and went home.

About this time Sir George Carewe arrived at Dublin to be Lord President of Mounster, who was highly entertained of the Lord Lieutenant, and after having his patent, and being established, he went down

^s Sir Oliver Lambert had the custody and disbursing of the treasure.

into Munster to his charge, which he discharged worthily and with great honour.

About this time Onie Omore, being liable to the articles of cessation, notwithstanding that he had command of 2. or 800. of the woodkearne, did no manner of harm, but had obtained a protection and warrant to take meat and drink in the country, paying for it and doing no spoil. And in the Rogation week he came with a company of kearne to Stradballie in Laysse, and, staying without the town, sent in word to Alexander Cosby, esquire, that was lord of the town, desiring leave to pass quietly over the bridge, and not to meddle or touch any thing that was in the town. But Mr. Cosbie utterly denied to give him any passage at all, and called his son and heir, and other his servants and tenants, about him armed, and set upon the kearne to drive them out of the town; but in the end Alexander himself was slain, and Francis Cosbye, his son and heir, and four others of his servants and tenants.

About this time Thomas Mc Edmond Mc Ruderie, commonly called the Knight of the Valley, fortified a very strong castle which he had, standing in a glin upon the side of that famous river called the Shanan, and the castle is called the Castle of the Glin. This being fortified with men, munition and victuals against her Majesty, the Lord President drew together such forces as he had in Munster, and caused two great pieces of ordnance to be brought from Limric to that castle, and so besieged it, and within two days with battery made a breach, whereat Captain George Flower, with his men and cullers, did enter and slew the ward, and sett his cullers upon the top of the castle, and so it was recovered for the Quene.

In the month of September the Lord Lieutenant, intending to plant a strong garrison at Ardmaghe, departed from Dublin the 15 day of the month, and went to Dundalk, where the whole army was appointed to meet him, which, when they came together, were about 2600 men, horse and foot, with which army he set forth of the town the 20. of September, and camped that night upon the hill of the Phagher at the mouth of the passe entering into the Moyrye, where Tyrone was lodged with 4000 fighting men, and had fortified the passages, and began to skirmish that night, and many of them were slain, chiefly one that they called Oneyle, and of the English but one man lost, and 6. or 7. men hurt, among whom young Lovell was one whose valour in service deserved praise. Thear fell such abundance of rayne that night and continued rayning the space of four dayes that the campe could not remove to passe any further but yet some service was perfected, for cer-

tain of the enemies horse making a shewe on a hill Captaine Dawtries lieftenant charged them and slewe two of them with his owne hands. Likewyse on Mondaye some of Sir Harrie Davers his troupe tooke one Murtagh Mc Shane prisoner which was a man of great acompte amonge the rebbels and slue two of his companie which laye to interrept passengers as they travelled betwene Dundalk and the campe. On Fridaye being some what drie but yet a greates fogge the Lord Lieutenant ranged abroad to vewe their treantches, and falling suddainelie upon the enemies charged them vehementlie and slewe manie of them; and manie of them fled and lefte theire armes behind them and their vittayles; which was brought to the campe, and for four or five daies

Anno 1600.
September
.15.

September 20.

September
21, 22.

after thear could be no service done by reason of the outrageous wether which continued with greates stormes of windes and tempestes, which often tyme overthrew the tentes and troubled the campe very muche.

Tyrone had taken from Macguire his sonne and heyre in pledge of his fidelitie and carried the youth alonge with him in his campe bound in a hande locke of iron, but the young man made some meanes to escape from Tyrone and came to the Lord Lieftenant, who received him courteouslie, and imployed him in the service whearin he did so well acqute himselfe, that his lordship comitted to his custody the sonne of Cormacke: on Thursdays the 2. of October the Lord Lieftenant drue forth his army to muster; but the enemies coming downe upon a bravado offered skyrmishe, which the lord lieftenant embraced, and gave commaundment to everie several regiment howe farre they should proceede, so the rebells by our hotte and present answer weare constraind to quyte theyr treantches with shame and great losse. The fighte continued in severall places with great furye the space of allmost four houres. The severall commanders of the regiments employed in that day's service weare Sir Thomas Bourke, Sir Samuell Cagnall, Sir Henrie Folliate, and Captaine Berrye. Nowe the lord lieftenant with his horse toke a stand in the height of a rock within lesse then muskett shott of theyr barrucadoes whear he perfectlie might behold the whole course of all accidents and give directions accordinglie. A gentleman of his, one Mr. St. George, was shott that daye close by his syde whear he stode, and died. Sir Oliver Lambert was shott in the syde, Sir Christopher St. Lawrence in the neckbone, Captaine Gaynsford in the hypp, Captaine Bushe in the bellye, Captaine Harveye in the kne pan, four or five lieftnants hurt and one slayne. Sir William Godolphin had his horse braynes dasht in his face as he was earnest in charging the enemyes. In this fight weare slayne about 80 men: but there was hurt above 180. and of the enemies above 500, whearfore that day's service among themselves was called the daye of their great overthrowe: for the next daye manie of Tyrones followrs being tyred with fowle wether and over long stayeing theare, and over laden with stroakes began to leave him thear to shifte for him selfe.

On Sondays the .22. of October⁶ the rebelles shewed them selves in grosse all the morning but after Sarmon and prayers being ended the Lord Lieftenant gave order to Sir Charles Pyercie to lead his regiment up the hill one the lefte side of the passe, who presentlie fell in skyrmishe with the enemies and drave them from rocke to rocke killing to the number of 500. of the comon sort besides 14 of their chiefest gentlemen. and two of the Mc Piores heades weare brought in to the campe, for whose death thear was great lamentation and pittifull cryes made in the rebelles campe all that evening; and of the English none slayne but onelie Sir Robert Lovell. By theise continuall services together with tempestious wethers, which yet continued, the soldiers wear growne weake, whearfor the Lord lieftenant went to the castell towne of Bellowes and rested thear placing the weak soldiers in places neare thear about untill they might some thinge be recovered.

⁶ The 22nd was a Wednesday. The true date was the 5th: see *Cal. of State Papers, Ireland, 1600*, pp. 473, 529.—Ed. E. H. R.

Tyrone's forces nowe growne weake and manie slayne, and a greater number gone away to their owne homes, Tyrone himselfe went awaye also from the Moyrie, then the Lord Lieftenant drue forth the strongest of the soldiers and went into the Moyrie and cutt downe the woodes, unstakke the foordes, mended the causes and overthrewe their barrucades and pyles of great stones, and when he had recovered h[is] feeble men with such hotte meats and brothes as he in his Christian care caused to be provided for them and faithfullie devided amongst the[m] he rose agayne with his armie and upon Thur[s]daye the .21.⁷ he encamped in the middle of [the] Moyrye in the highe waye to Ardmaghe where he aboad ten dayes for supplie of vittayls men and munition and having received some portic . . . he marched from thence to Aghnacrama . . . within a mile of Tyrone's duelling and chief fastnes, whear on all hands a forte was begun and made defencible within thre dayes. It standeth verie comodiouslie upon the si[de] of a hill, which fort his lordship named Mount Norreys in honour of Sir John Norreis Lord President of Munster⁸ that worthy comand[er] at the warres who in his life tyme made choice of that playce for that purpose but he never fortified thear. This place the Lord Lieftenant fortified and made stronge; in which space of tyme Tyrone made manye shewes in the wooddes thearabout, and sometymes offered skyrmishe and allwayes went awaye with stroakes, losing a number of theyr chieffest men: but namelie one Neale Oquine(?) Tyrone's chiefe concellour, and of the Englishe onlie Lieftenaunts Legge, and the earle of Killdare his ensign bearer weare hurte. Nowe the Lord Lieftenant provided to vittell the forte and to leave

Anno 1600. a strong garrison there in, of whom Captaine Edward Blanye
November 11. was chiefe comander; and upon the .11. of November he made a solempne proclamation for the bringeing in of Tyrone eyther quick or deade, and so spending a longe vallis of shot within the vewe of Tyrone himselfe the Lord Lieftenant departed and lefte the forte marching that night unto the Newerie, and so the next daye towarde Carlingford to relieve the hungry soldiers with such vittells as was yet remaining thear. but Tyrone mette the armye in the way and fought verie fearsilie with them by the space of two houres, and came twyce to the sword, and pushe of the pyke in which fight about 200 of the rebbels wear slayne, and Tyrone himselfe in great danger, for one with a longe peece killed him on whose shoulder Tyrone leaned. Of the English armie weare slaine about twelve men, whearof one was called George Cranmer: that was one of his lordships secreataries: and thear was hurt, Sir Henry Davers in the thygh, Captin Hanford in the raynes of the backe, Captin Trevor in the arme, and about 50 or 60 others. The 14 daye as his lordship was marching into Dundaulke one Harrie Barkley that was his lordships cornet of his horse troupe with seven other horsemen, recovered a praye from threscore horsemen of the rebbels and slewe one of them and brought away his head, the Lord Lieftenant heare dissolved and disposed of the armie, and went himselfe to Dublin.

In all the tyme of this jorney the wether was most unconstante,

⁷ The 21st was a Tuesday.—ED. E. H. R.

⁸ A worthy acte proceeding from true nobillitie to remunerate the actes of a worthy servitor.

replenished with rayne and showers, boysterous winds, stormes and tempests whearwith the tents of the campe weare often overthrowne, rente and torne in peeces, the extreme moysture of the wether greatlie hindered the use of shot and other manner of services, yet by the permission of God all things hear spoken offe wear done and perfected in a better fashion than hear hath bene resited, for which the name of God be prayed.

This yeare was greate practizing among the rebbellis in all places of Ireland, for in generall everie one of them expected the coming of an army of Spaniards into Ireland which did happen accordinglye for in the month of September Don John de Aquila arrived at Kinsall in Ireland with 5000 Spaniards, and tooke the towne and layd up his vittayles and munition in storehouses at his owne pleasure, as though he had alreddie wonne the whole kingdom and so triumphing in that little victorie he sent his ships backe into Spayne : with newes that he had wonne Kinsall in Ireland, for which victorie great triumphes and bonafires weare made in all Spayne ; Now Don John began to fortifie the towne of Kinsall and to make it stronge for the king of Spaine his use, there was also two verie anciente castelles without the towne, the one called Rahine-Curren [Rincorran], on the one side of the haven ; the other was called Castell Parcke, standing on the other of the haven, these two castells he also fortified and made stronge, and put stronge garrisons in them ; likewise he sente his letters to the earle of Tyrone, signifeing his arival of Kinsall and that he ment to staye there untill his comeing.

Sir George Carewe, the Lord President of Munster, dispatched his letters of advertisements to the Lord Lieftenant signifeinge unto him the arival of the Spanyards, who delayed no time, but hasted to Corke with an armie of 12,000 men, horse and foote, intending with as much speede as might be to dislodge them, so the Lorde Lieftenante and the Lorde President, stayed some fewe dayes in Corke, to debate and determine howe everie parte of the service should be managed to a full perfection, for the recoverie of the towne and expulsion of the enemie. And amonge all other thinges they had great respecte to the preservation of hir majesties soldiers ; for, they first ordayned that there should be an hospitall erected in Corcke to which place should be sent all the sicke and hurte soldiers, that should hapen in the time of the siede, and there was provided for them, fire, lodging, meat and drink and a steward set over them, namelie Mr. Hugh Parcevall a minister and preacher of the worde : who verie carefullie distributed to everie man his portion, likewise the surgian generall of the provinces tooke chardge for the cureing of such as should be sent thither from the campe eyther hurte or sicke.

Nowe after a full determination howe all thinges should be accomplished, the Lord Lieftenant and the Lord President drue forth the theyr whole forces and marched to Kinsall which was but ten myles from
October 26. Corke whear they pitched their campe and intreantched them selves to theyr best advantage. They also builded a sconce and planted theyr great ordinance for batterie,⁹ and practised everie martiall

⁹ The 29 of October the ordinance began to playe.

stratagem which they thought might be behoofull to anoye the enemye.

The earl of Thomond had the conduction of 4000 men out of England, and was apointed by the Lord Lieftenant to incampe with them in a severall place by himselfe whear he was for the moste part with in sight of the towne and somewhat nearer then the other campe, thus was the enemye hemd in, in such fashion that he could not well sallie out without danger. First the Lord Lieftenant attempted to wine Rahine Curren (which was one of the castells that was fortified by the Span- November 1. yards) and recovered it by battrie upon the first of November whear manye of the Spaniards wear slaine, and some taken prisoners: when those in the towne sawe the castell in danger to be recovered from them the sargent major of the Spaniards issued foorth with a number of them to the rescue: but they weare so well resisted that the sargent major was in danger to have bene slayne by one of the English soldiers, but Sir Rychard Wingfield that was high marshall of the English armye supposing that he was a man of some accompt rescued him from the soldiers and kept him prisoner with him selfe: after that manye of the Spaniards weare slayne and the castell battered, and all that service ended. When the marshall was at some leysur and seing his prisoner the sargent major to be verie sade he bade him to be merrie, and sayd it was but the fortune of warres that he was nowe become his prisoner, He confessed it to be true, saying that he had served in the warres from his youth yet did he never see the Spaniards take such foyles at the hands of any nation as he had seen them to take at the hands of the English men, and afterwards the said sargent major was . . . and released agayne. The Lord Lieftenant attempted to winne Castell Parcke and sent over Captaine Kenricke and others with a companie of men who was put offe, and did litle good theare, then the Lord Lieftenant caused some of the great ordinance to be mounted over agaynst the castell which was verie farre of, by reason that the haven was betwane; yet not withstanding the master gunner used such skyll to batter the castell that it could never after be made wardable. Lyke wise he dismounted one of the Spaniards peeces of great ordinance which they had mounted over the gate of Kinsall onelie to anoye the Englishe campe.

Nowe newes came to the Lord Liefetente that Odonell was coming out of the northe with all his forces to joyne with the Spaniards, who November 17: presentlie sent foorth the lord president with about 2500 footemen and 825 horsemen, to keep the wayes and to intercept Odonell his journey; but Odonell when he heard that, slipte out of all ordinarie wayes and passages and haveing the advantage of verie hard frostes and drie weather travelled throughe wooddes and bogges in suche unexpected wayes that the lord president missed of him, and so returned to the campe upon the 25: daye of November, and at this verie instant Don Alonso d'Occampo arrived at Castell haven with sixe shippes and 2000 Spaniards and great store of munition and victtells, and to in- November 28: counter with those sixe spanishe shippes Sir Richard Levison was sent from Kinsall with three of the Quenes shippes which wear attendant thear, who fought with them moste valliantlie and soncke and made unserviceable five of those shippes, but the men were

landed all before his coming and likewise the munition and vittells and the Spanish ordinance being on the land played upon the Quenes shippes. Chiefie at the good ship called the Warspight, in whose hull thear was :209 holes pearced through with the Spanish great ordinance that beate from the shoare, and yet the ship not suncke, and but twelve men slayne. Himselfe being in that ship, returned with that and the other two shippes to Kinsall. Theare was a verie lustie Spaniarde that undertooke to choke the great ordinance with spykes of iron and in a night issued out of the town being garded with 2 or 300 men and came up uppon the platforme and drave a spyke into a culvering; but the alarum was so redilie answered that he was slayne sitting astreyde upon the peece: and of those which came to garde him weare slayne about .150. and but fewe of the Englishe slayne, beside Captin Dillon, and Captin Spencer, the culvering was cleared agayne befor daye and thear with the first shot was made into the towne in the morning.

Nowe Odonell joyned himselfe to those Spaniards, attending the cominge of Tyrone that they might have bene conveyed into Kinsall; in the meane while thei stowed their vittells, and munition in Castellhaven, in Barre haven, and in Balteemore and furnished them with men fortefieing and making strong those places as though they should dwell theare for ever. The winter nowe began to growe colde and stormye with windes and bytter frostes, and snowes, so that some of the soldiers weare starved to death with coulde standing upon their centenels, and many had their feete and toes mortified and rotte offe with standinge and lieing on the coulde grownde, but the Lord Lieftenant made the beste provision that might be to prevent that danger, for he ordayned a comon kytchin whear hot meats and hot brothes weare dressed from daye to daye and given to the hurte and weake soldiers out of which Christian charitie a great number as well in the campe at Kinsall as in the hospitall at Corke weare relieved and cured which otherwise would have perished, for a soldier was no soner fallen sicke or hurte in the campe, but there was an excellent man that was Chirurgian Generall for the whole kingdom attendinge on the Lord Lieftenant, who did verie carefullie loke unto all suche parsones, sending some of them to the hospitall at Corcke, and keeping some of them in the campe as he thought meete; so that thear was not anie one hurte or sicke man that was left unprovided of reliefe, for which no doute, but that God blessed their whole proceedinges.

The Spannyards in the towne being daylie beaten with shott from the campe, and being coopte in, that they durst not well peepe out of the gates of the towne, but to their losse, began to repyne at Tyrone and his adhearents for breaking their promises with them; likewise their vittells grewe scarce and theyr numbers daylie decreased by meanes of continuall skirmishes. But at the laste though it weare longe first Tyrone and Odonell, with Captin Tirrell and manie others of traytorous crewe, came with 5, or 6000 men, horse and foote and incamped themselves in the cuntrye about thre miles from the towne, but could not goe into the towne because of the two English campes that lay so directlie in their way, but they practysed daylie by secreat messengers and letters passing too and froe betwene Tyrone, and Don John de Aguila howe to anoye the

Englishe armye, and in often conferences by letters it was agreed that Tyrone with his forces should set upon the Englishe campe on the fieldes syde in the breake of the daye upon Christmas Even in morninge, and while the Englishmen should be skirmishing with Tyrones forces one that side Don John de Aguila would issue foorth of the towne one the other syde, and sett upon the campe and so they dyd live in hope that betwene them boathe the Lord Lieftenant with his whole army should be overthrowne in that daye.

But the Lord god of heaven and earth, who had alwaies blessed his Majestie's forces in their greatest extremities, gave such a blessinge to that nobleman, the Lord Lieftenant, that he had prevy advertisements of all their private practices, whearupon he sought means beforehand howe to December 23. prevent the future danger, For he called all the chiefe commanders and captaynes together, commanding everie man to looke to his charge, and to garde his quarters, and that the soldiers shold stand in their armes, reddie to answer anie attempte that should be offered by the enemye, and so everie man in his owne charge was watchfull and diligent all that night : after midnight the Lord Lieftenant resolved to drave foorth a stronge regiment of foote to stande without the campe reddye to receyve the enemye before they should aproache the campe. He also gave directions to the earle of Thomonde for the garding of his campe, and for keeping that side of the towne, also he gave direction to the master gunner of the campe to stand to his ordinance, and howe for his best advantage he should playe upon the enemye ; he also gave directions that horse men should be drawne foorth, and by that tyme all things were ordered to his content, the morning was drawing on, the Lord Lieftenant commanded that the regimente volant, under the conduction of Sir Henrie Poore should drawe foorth beyond the weste parte of the campe, and there to stande in armes not farr from the mayne guard of the horse. A little before the breake of the daye Captaine Richard Greame who had the guard of the horse that night sent word to the Lord Lieftenante, that his scouttes had discovered the enemies matches in great numbers, whear upon his lordship caused all the whole armie to arme them selves, and 800 choyce men to be drawne owt of the earle of Thomonds quarter, to stand betwene that quarter and the forte upon the weste hill, and his lordship together with Sir George Carewe Lord President of Munster and Sir Richard Wingfield highe marshall of Ireland, advanced forwards towards the scoutte givinge order of Sir Henrie Davers, leeftenant generall of the horse fore ordering of the trowpes, and sent the marshall to take vewe of the enemye who returned answer that he was advanced horse and foote, neare the toppe of a hill, not past two musket shot distant from the towne ; whearupon the Lord Lieftenant called Sir Olyver Lambert, Governour of Conaught, and commanded him to attend his lordship that day, and so they made choyce of a peece of grounde betwen that and the towne, of good advantage, boathe to embattell, and to fight if the enemye woulde attempte to drawe towards the towne. Heare Sir Harie Faliat was apointed to stave with his owne regiment : and thre olde bandes out of Sir Oliver St. John his regiment and 200 seafaring soldiers brought thither by Sir Richard Levison to attend and be reddie whensoever his lordship should command them.

Tyrone whose meaning overnight was to have been with us before daye, and mynding further to have put all the Spaniards into the towne with 800 of the best Irishe soldiers under the command of Captin Tirrell, but nowe seeing that it was fayre daylight, and that he discovered the marshall and Sir Henrie Davers, to be advanced with all the troupes of horse and Sir Hen. Poore with his regiment of foote, he stayed a little at the foote of the hill, and thinking in his mind that it would not prove a daye answeareable to his expectation he retired (with those troupes which he had advanced) backe agayne over a foorde to the bodie of his armie. Presentlie the marshall sent word to the Lord Lieftenant that the enemie retired in some disorder, whearupon his lordship commanded those troupes to follow him with all speede, and he advanced him to the head of all, to see the manner of the enemye, and in what sorte it should be best for him to procede, and by their disorderlie marche he perceived that they wear in some feare, and thereby he was incouraged to make triall what profit he could make of that enemie which retyred with such a troubled mynde, thereupon returned Sir George Carewe Lord President of Munster back to the campe, with three cornets of horsemen to attende thear agaynst the towne, and whatsoever else might happen, his lordship not haveing full 400. horse and lesse then 1200 foote, made after the enemie, and advancing some mile further on, pressed them so hard, that they were forced to stande and defende themselves at the foorde of a bogge which the Lord Lieft: must needs passe: otherwise he could not charge them to any advantage, theare the enemye skyrmyshed, and in the meane tyme the marshall espied another foorde that was neglected by the foote but garded onelie by horsemen wheareof he advertysed the Lord Lieftenant and desired leave to charge them theare. The Lord Lieft: allowing that request, comanded the foote to drawe forwards with all expedition, and the first winges of shot, once arrived weare seconded by Sir Hen: Poores regiment, the marshall with the earle of Clanrickard who never ceased urging to fight taking with them Captin Richard Greame and other companies of horsemen, forced the enemies horsemen that kept the passage and passed over, and charged the enemie fearcalie; which the Lord Lieftenant perceiving, sent his owne cornet of horse with Sir William Godolphin; and the Lord President his cornet of horse with Captine Minstrew and two bodies of foote with Sir John Barkley that was sargent majore of the campe, with thease annon weare joyned the marshall, the earle of Clanrickard, Sir Hen: Davers, Captine Taffe, and Cap. Gerald Flemming: with their companies of horse, and charged the enemies troupes of horse with such courage that they fled in haste, at the sight whearof the battayle of the Irishe weare utterlie dismayed: upon whom the horsemen charged most furiouslie and brake theyr mayne battayle. Captine Tyrrell with Don Alonso de la Campo and his Spaniard having stood yet firm upon the bogge weare now drawing to get between the trowpes of horsemen that weare in execution of the enemyes and our bodies of foote: but the Lo: Lieft: with speede got him up to the head of the reare and charged the enemye with such courage that they made a verie disorderlie retreat, he following almost to the tope of the next hill, whear they made stande a lytle while, but at the laste Tirrell with his Irishe soldiers quitte the

Spaniards and lefte them alone, who weare verie shortlie brok . . . by Sir Wm. Goodolphin : and the Lord Lieftenants trowpe of horse: and the moste parte of them wear thear slayne. Their chief commander Don Alonso de la Campo was taken prisoner with three other captines, six officers and forty soldiers.

The vaunt guard of the Irish enemies and the lose winges when they sawe what had happened threwe awaye theire weapons and ran for their lives, so did Tyrone himselfe, Odonell and all the reste of the Irishe lords. the mayne battell weare allmost all slayne :1200: boddies wear theare found presentlie dead ; and about 800 hurte, whearof many died that night, the chace contynning the space of two myles was lefte offe by reason the Englishmen weare tired with killinge and following the execution which was great, videlecit verie neare 8000 men Spaniards and Irishe. Thear was recovered that daye 8000 of theire armes by reckoning beside such as weare embezeled ; six ensigns of the Spaniards and thre of the Irishe weare likewise recovered with all their powder and drummes. The fewe Irish prisoners that weare taken that daye notwithstanding that they offered ransom for their lives yet weare all hanged in the campe. The Lord god of heaven be blessed, in all that great service theare was butt one of the quenes soldiers slayne that daye, videlecit John Taylor, that was cornet to Cap. Rychard Greame.

Sir Hen: Davers was slightlie hurt with a sword : Sir William Goodolphin : razed one the thighe, Captin Crofts, scout master hurt in the backe, and some four or five more had small hurts. It is reported that the earl of Clanrickard in that day's service caried himselfe verie worthielie not onelie in speeches to incourage the soldiers to fight, but also in deeds and actions in his own parson to perform the same, in consideration whear of it pleased the Lord Lieftenant to gratulate him with the honour of the Field, For, in that place, even among the dead bodies he dubbed him knight. and to be short everie man in his calling did his indeavour verie couragiouslye, and the Lord Lieftenant which had with great wisdom and discretion, interlaced with martiall pollicie given that daye many wise and profitable directions, and beaufefied the same with his owne parson in vallourable service chieffie against the regiment of the Spaniards : upon whose attempts the Lord of heaven powered his blessings, for which that religious noble man, with sounde of troumpet called the whole armye together and concluded this his glorious victorie with prayers, prayse, and thanksgiving to god who is the giver of all victorie and so drue towards the campe with his whole armye rejoycing and rested that day. The nexte day his lordship comanded Captin Bodleghe that was trench master generall, to see that the forte and the platformes formerlie begunne to be undertaken againe and nearer approaches to be caste out towards the towne ; which he presentlie went about and set forwards.

This happie victorie was atchived upon the 24 daye of December being Christmas Even in the morning and the newes coming to the citie of Anno 1601. Coroke towards evening with comandment to prayse God in their churches and to rejoyce and to make bonefieres, &c., I do remember that I was thear that night and behelde the behaviour of all men, all that weare English and their favourites were joiefull, hartelie giving

prayse and thanckes to God : the bone fire wear made all alongst the streets but verie slenderlie furnished with thre stickes a crosse upon manie of them, the townesmen walked by trowpes 8. 4. 5. or more in a companie, with verie sade countenances, so that I canot yet conjecture whether they did more rejoyce, or mourne for that worthie victorie. Don John de Aguila tooke a pawse 4. or 5. days after this overthrowe, as it weare devising what was best for him to do, at last he resolved to send his drum major with a sealed letter to the Lord Lieftenant requiring a parlee, and some gentleman of speciall trust and sufficientie, to be sent into the towne from his lordship to conferre with him, whom he would make acquaynted with suche conditions as then he stood upon, and thear was sent Sir William Goodolphin into the towne of Kinsall to conferre with Don John, who made sundrie concourses too and froo before they agreed in anie perfecte conclusion, but at the last agreement was made and concluded upon as it doth apeare in these articles which heare do followe signed under their handes.

[Here follow the articles of conspiracy between Mountjoy and Don Juan de Aquila, which are printed in *Pacata Hibernia*, pp. 245-7.]

This parley was begun upon the laste of December and continued tyll the second of Januarie, on which daye all conditions being agreed upon these articles weare written and signed in manner and forme as above apeareth. The 9. of this monthe Don John yelded up the town of Kynsale into the hands of the Lord Lieftenant with all the other castels and fortresses that they held in the kingdom. For joye of this victorie agaynst the Spaniards in Ireland theare was greate ringing of belles, bone fieres and bankets made in London upon the 18 of Januarie.

The Lord Lieftenant haveing receyved the town of Kynsale from the Spaniards with all other places, according to the articles agreed upon, placed a sufficient garrison there, and commanded all the inhabitants that fled from thence at the coming of the Spaniards to repair home again to their own dwellings, and every man to enter into his own possession, after which the Lord Lieutenant dislodged his camp of Kinsale, and went to Cork, together with the Lord President and with Don John De Aquila, who stayed there till shipping was ready to convey himself and his men away. Now the Lord Lieutenant dispersed his army, directing some bands to certain garrison places, and other some he kept to guard himself in his journey ; and so, after few days, he departed from Cork, and marched by journeys first to Limerick and from thence to Galway, and upon the first of February he marched towards Dublin. Tyrone and Odonell, with their crew of traitors which escaped in the overthrow before mentioned, fled every man into his own countrie, leaving the Spaniards a prey for the English, only Odonell fled into Spain, where he died.

Anno 1602.
March 26.

[Here follows a blank space, sufficient for three lines ; the lower half of one written line follows, and a piece of paper, stuck on, has apparently come away.]

Anno 1602.
September 30.

in that castell,¹⁰ or for that they thought the castle to be impregnable by reason of the situation being environed with the

¹⁰ Dunboye. See p. 128 note.—ED. E. H. R.

sea, and a haven with great indraught of waters on two sides thereof, and on the other sides such mountains and rocks with woods and strange passages, whereby it was thought impossible that any army might be conducted that way. This notwithstanding, Sir George Carew, the Lord President of Munster, in the months of June and July prepared an army of 1000 men, horse and foot, and marched from Cork into that country, until he came within ten miles of the place, where he pitched his camp, and stayed there for his provision of victuals, munition and ordnance for battery, which were appointed to come by sea; but, the winds being contrary, he was constrained to stay there about three weeks or more. In the mean space he took in a castle, which was about two miles from the camp, which was kept by an Irishman of the country. Now, when the wind served and the shipping came in, there came also many boats and pinaces, with great store of victuals, beers and wine, to be sold, so that the camp was richly furnished (which before was in great wants) by means whereof the army was well relieved. Then the Lord President, seeing it would profit him nothing to march by land, by means of the manifold rocks, woods and mountains, that were before him, made choice to convey his army with all carriages and other provisions by water, and so dislodged his camp, and marched about five miles that day to a convenient place for passage, and the next morning very early the vaunt guard was drawn forth by Sir Charles Willmott, and shipt, and so consequently the whole army, with as great expedition as might be done in that large passage of eight or nine mile over; and presently being landed Sir Charles was appointed by the Lord President to draw forth his regiment in battalia, and sent forth lose wings to skirmish with the enemies that were there, about 100 men, who came away; but the soldiers followed them with such speed that some few of them were slain. This night we camped there where we landed, and the next day the Lord President removed his camp into another place near to the castle, where he stayed till the castle was raised to the ground. He used very great care and diligence in overseeing the landing of the great ordnance, for when he saw Captain William Jollye, that was then master gunner of Ireland, either neglect his duty, or do things therein untowardly, and not to his lordship's content, he dismissed the said Captain Jollye from that care, and took it upon himself, I mean for the unshipping of the ordnance, mounting upon the carriages, and placing upon the platforms, with all things necessary for battery, which was done altogether by his lordship's advice, counsel and direction. And when all things were done as appertained, the Lord President appointed one William Smith, a canoneer that was there among the gunners, to take charge of the battery, who did so, and performed it with great skill and diligence; and, when a sufficient breach was made, the soldiers entered and brought forth all the Spaniards and others to the number of about eighty persons, which were all hanged the next day. But in all that country there was not so much timber to be found as would make one pair of gallows or a gibbet, but the carpenter brought a piece of timber out of the castle, which was 14. or 15. foot long and a foot square. In this timber they bored many holes a slope wise, and drave strong pins of wood into them; the same being set fast in the ground, the fourscore Spaniards and rebels were hanged thereon,

2. 8. or 4. upon a pin, until all were hanged, as well women and boys as men of service, where they hung all that night. The next day a great deep pit was digged, and the bodies cast in one upon another, and covered with earth again, and so was Ireland quit of all the Spaniards.

Now, while this battery continued, John Downing, that was lieutenant to Sir Francis Barkeley, was sent by the Lord President by ship, with 200 soldiers, into an island that standeth some ten or twelve miles from the camp in the sea, wherein was all the people of the country, as churls, women and children, with their goods and cattle, which the soldiers spoiled, killed without all pity, and threw them over the rocks into the sea in great numbers; and so returned; and, all the service thus finished, the Lord President likewise returned to Cork about the first of September.¹¹

It is written before that the Lord Lieutenant, after the recovery of the town of Kinsale, departed from Cork and went to Limerick, and from thence to Galway; and about the first of February he took his journey towards Dublin to rest him there a while after his great travels in Munster, in which mean time his lordship had certain conferences and consultations with Sir Arthur Chichester, the governor of Knockfergus, (by letters which duly passed between them) how the service in the North went forwards, and so, after many letters passing to and fro, they agreed that in the summer following the Lord Lieutenant should go down to Dungannon, which was Tyrone's principal house, with an army of horse and foot, where the governor of Knockfergus should meet him with all the forces that he had under his government. This plot being thus laid, the governor, Sir Arthur Chichester, slacked of no time, but prepared for that journey, and caused his two boats and a bark of forty tunne to be rigged and dressed to transport men and victuals; and when the appointed time drew near the governor drew forth his forces to Massarine near the Loghe side, wheare the boates and the barke weare readie to carry them over the Loghe, but the wind served not for it was very boysterous wether, and this is to be noted that Loghe Neagh in anie stormye weather is ill or worse than the seas, the waves and byllows thereof do so aryse. Nowe whyle this fowle weather lasted, the governor would not be idle, but took some of his soldiers and went to the head of the Logh where was a passage over and a verie stronge holde kept by the enemies called Castle Toome, which was accompted the whole strength of that countrie, this castell he wonne in one daye and

¹¹ This man, in respect of his great service (at the siege of Kinsale, and likewise at the siege of this castle of Dunboye) was made knight in the year of his mayoralty, for he furnished those camps with bread, beer, wine, aquavita, and divers other necessary things, to the great relief of the whole army, and therefore was greatly respected of the Lord Lieutenant and council.

Anno 1602.
September
30. Sir John
Tyrrell,
Mayor.

In this year Robert Abowen of Balliadams in Leyse, which is the provost marshal of Leinster, first found the heath whereof brushes are usually made, which thing was never known before to grow in Ireland. He carried some of the heath to London, and when he understood by the brushmakers there that it was good, he brought over into Ireland one [blank], a brushmaker, whom he kept at his own costs and charges about two years. This man dwelleth now in Dublin, making and selling of brushes, and maketh a very good commodity thereof.

left a warde of English soldiers thear in and so returned agayne to Massarine.

By this time the weather was calme, and the winde served to goe over the Loghe and the next daye the governour embarked his men and sayled over, and when he was landed on the other side, he intrenched himself for his better defence, and as it happened, the Lord Lieutenant came with his army to Dunganan the same daye; and the next daye the governour mett him and so they concluded what service was to be done, but Tyrone and all those of the country were fled verie far up into the countrie towards Glanconkaine so that there was not any service to be done upon himsele, but for the better keping and taking foote hold in the countrie the Lord Lieutenant and the governour resolved to buylde a forte thear where the governour had intrenched himselfe at his landinge, in which fort was left a strong garrison of 15 or 1600 men, horse and foot, who were to be directed by Sir Arthur Chichester the governour of Knockfergus concerning all the services in the north. Nowe all things being finished according as the Lord Lieutenant and the governour had concluded, his lordship returned to Dublin, and the gouvernour prosecuted the service in such sort that Tyrone in verie short space durste not to shewe his head in all those partes of the countrie, by meanes of such roades and jorneyes as were daylie made into his countrie by the soldiers of that garrison. Nowe the forte was also further enlarged and a castell builded thear and at this daye is become a fayre town and is called Mountjoye. The gouvernour also proceeded further, and went up higher into the country and buylte another forte neare to Glanconkayne at an olde church. To conclude thear was great services done in this governours tyme, by valour wisdom and pollicye, such as I have not read of to be done . . . since the firste Conqueste of Ireland.

Here it is to be noated that in this yeare happened a great famine and scarcetie of victualles in the northe as well among the English, as the Irish, that all things weare growne to verie high rates and excessive prices amonge the Englishe, not withstandinge that they wear some times relieved and their wants supplied by shipping out of England, and other places, but the Irishe that had no suche supplies were brought to extreme miserie, in such sorte that they wear driven to eate the fleshe of horses garrans and other kinds of beasts, unfit and unnatural for any Christian to eat, and as I have heard it credibly reported that some of the Irish have lyene secretly with pieces to kill people, either friends or enemies, that passed by, to the intent to eat them.

But this is most true, and as lamentable as true, that Sir Arthur Chichester, the governor, travelling on a journey with soldiers to do some service, as he travelled through a wood there was felt a great savour, as it were roasting or broiling of flesh; the governor sent out soldiers to search the wood, and they found a cabin where a woman was dead, and five children by her made fire to her thighs and arms and sides, roasting her flesh and eating it. The governor went to the place to see it, and demanded of them why they did so; they answered they could not get any other meat. It was demanded where their cows were, and they said the English men had taken them away. Also it was demanded when the

wod kearne were there, and they answered not in three days before. It was asked of them whether they would have meat or money to relieve them; they answered both meat and money; so the governor commanded to collect a proportion of victuals from among the soldiers' knapsacks, and left it with them, and so departed and went on his journey.

Also in this year, for the quietnes of the kingdom of Ireland, and for the better appeazinge of strife, contentions, and sutes in lawe in time to come amonge the inhabitantes of the land, it hath bene ordered and agreed by grave advice, with the consent of the Quenes majestie and counsellors of boathe kingdoms, that theare should be established in Ireland an acte of oblivion, wheareby all sutes, bills, complaintes and all former challenges whatsoever before this year 1602, for any stealthes, robberies, preys taking, or any suche like thing done in the time of rebellion should cease, and be no more thought upon for ever, those sutes only excepted which had bene formerlie commenced by orderlie course of lawe, (before that time specified) and had been put in sute before the judges of anie hir Majesties highe courte of record, or otherwise determined upon, by way of arbitrement with the consent of boathe parties.

(*To be continued.*)

An Unpublished Political Paper by Daniel De Foe.

THE interesting document which follows is included among a miscellaneous collection of historical and other papers in the Lansdowne MS. 98 in the British Museum (ff. 223-246). It is without title, signature, or date, but is indorsed in a somewhat later hand, 'Maxims and Instructions for Ministers of State, seemingly written about the end of the reign of Q. Anne for the use of some great man.' The actual date is some years earlier, but otherwise this description is correct enough, and, except that the last seven words are omitted and 'by some very able statesman' put in their place, it is substantially repeated in the catalogue of the Lansdowne MSS. published in 1819. Hitherto, however, so far as I can ascertain, the contents have altogether escaped notice. This can only be accounted for by the absence of the author's name, and yet the clue to his identity lay all the time literally on the surface. The loss of the covering letter, which no doubt once existed, is in fact immaterial, for the handwriting can be recognised at a glance as that of Daniel De Foe; and not only does internal evidence also point to him as the author, but, without going further than the second paragraph, it is equally clear that he was addressing Robert Harley, shortly after the latter became secretary of state on 18 May 1704.

Since the publication by the Historical Manuscripts Commission

in 1897 of vol. iv. of the *Portland Papers* it has been known that there were close political relations between the two during the whole time that Harley was in power. They apparently began while De Foe was in Newgate Prison, to which he was committed in July 1703 for publishing his famous ironical pamphlet *The Shortest Way with the Dissenters*, and it was through the influence of Harley, then Speaker, who was shrewd enough to see the use that might be made of his peculiar talents, that he was released early in November. The gratitude effusively expressed in his subsequent letters among the *Portland Papers*, beginning with one of 9 November, was no doubt perfectly sincere; at the same time, he evidently had a lively expectation of favours to come, and after a few months' interval, during which Harley had taken office, he appears as a paid secret agent of the government. In this communication, however, he plays the more dignified part of a political Mentor and takes upon himself to instruct his new patron with the utmost freedom on the course he ought to pursue in order to secure popularity with all parties and ultimately attain the position of an all-powerful prime minister of the type of Richelieu, Mazarin, or Colbert. His advice to that end and his observations in general are marked by his usual practical sagacity, showing an intimate knowledge of affairs and a keen insight into the character of the man with whom he had to deal; they are expressed also in the clear, incisive, and perfectly straightforward language of which he was a master, and it is only with regard to the plan proposed by him for conciliating the dissenters that he seems apprehensive of being charged with duplicity. Interesting as it would be to trace how far Harley's future policy was in accord with the principles laid down for him, there is no room for such an inquiry here; but in one direction De Foe's arguments appear to have had an immediate effect. As will be seen, he lays special stress upon the necessity for a regular system of collecting intelligence from all quarters, in order that the government might be kept informed of the state of feeling in the country and steps might be taken to counteract adverse influences; and his own employment for this purpose, for which his restless energy and quick wit admirably qualified him, was no doubt a direct consequence of his advice. A letter from him to Harley of 28 September 1704¹ proves that he was then busily at work in the eastern counties, and he was apparently starting on a mission of some kind in the previous July.² The present paper, in which he speaks of Harley's 'new post,' was therefore probably drawn up in May or June; in any case its date must be before 2 November, for in writing to Harley on that day³ he evidently refers to it when reminding him of what he had

¹ *Portland Papers*, iv. 136.² *Ibid.* p. 106.³ *Ibid.* p. 147.

formerly written on the subject of Richelieu. Although it begins rather abruptly, the paging, which appears to be original, shows that nothing except the covering letter is wanting.

G. F. WARNER.

I allow that in our constitution we admit of no supreme ministry ; that the nation is particularly jealous of Favourites. These are the two chief obstructions in the way of a refin'd and rising statesman, and these are the two reasons why we have had no capitall men in the civill administration, no *Richlieus*, *Mazarines* or *Colberts* in the state. But I must go back for a reason for these two principles, and must say : 1. It would be best to have a supreme ministry : 2. The nation may easily be reconcil'd to it. Twill be needless to prove the advantage of a chief ministry ; our confusions in council, our errors in executing and unwaryness in directing from the multitude and bad conduct of ministers make it too plain. To prove the nation may be easily reconcil'd to it, twill be needfull to go back for the reasons why former favourites have so ill pleas'd the nation, and how others have discharg'd themselves with honour. The Spencers, the Gavestones of former reigns are too remote ; the prime ministers of modern times have been principally the Earle of Leicester, the [Duke] of Somersett, Buckingham, etc. These all incur'd the displeasure of the people by one crime, persueing their private intrest, enriching and aggrandizeing themselves and families, and raiseing vast estates out of the spoils of the publick, and by their Princes favour heaping up honours and titles to themselves from mean originalls. I need not search hystory for the particulars, the fact is too plain. The consequences of this spirit of covetousness were allways extorcions, oppressions, bribes, sale of publick employments, intrenchments on the publick moneys, exorbitant grants of Royal bounty, and the like. If any man will sho' me the man that serv'd the state abstracted from his own intrest, he shows them (*sic*) the man who was as much the peoples favourite as the kings. Tho : Lord Cromwell was such a one, and, tho' he fell, as who in the reign of that fickle, unconstant king could stand, he fell a sacrificz to the Protestant party, universally belov'd and lamented of the people. Sir Francis Wallingham, tho' not a prime minister, yet, if we read his story, the ablest statesman and the longest employ'd, the most employ'd in difficult cases and the greatest master of intelligence in the age, [was such another]. Both these dyed poor, they spent their wholl time in the service of their country, and no man would ha' repin'd at their enjoying their Princes favour longer.

This premis'd I bring home the matter to the case in hand. How shall you make yourself Prime Minister of state, unenvy'd and unmolested, be neither address'd against by Parliament, intreagu'd against by parties, or murmur'd at by the mob ? With submission tis very feasible with an accurate conduct. They say those designs require most policy which have least of honesty ; this design must be honest, because it must be honest to serve our country. If it be objected, 'But I wou'd not be Prime Minister,' I returne, 'Then you can not be Secretary of State.' The Secretaryes office well discharg'd makes a man Prime Minister of course ;

and you must be Prime Minister with applause, or you will be Secretary with disgrace. Popular fame never thinks a man too high, popular hate never thinks him too lowe. A generous, free, noble, uncontracted conduct as effectually secures the affection of the people, as a narrow, covetous, craveing spirit effectually engages their mortall aversion. Tis certainly a noble design to be popular from a principle of reall meritt. I observ when all our people clamourd at Dutchmen, and even the king cou'd not please them, because he was a forreigner, no man ever had a bad word for Mons^r Overkirk. Nothing wins this nacion like generous, free, open-handed courtesye. The King of Sweden in his German warrs allwayes employ'd trusty persons in the towns and cittyes he reduc'd, to inform themselves of any known case where one was oppress'd, or any family that had the generall pittty; and unlook'd for, unask'd, he would send for, right, and reliev them. Sir, that noble soul is a rare pattern; he gain'd his very enemyes by surprizeing acts of bounty. In your new post, joyn'd with the influence you have on the royall hand, you will have infinite opportunities to fix an invulnerable reputacion. May not these heads be proper?

1. To keep a sett of faithfull emissarys selected by your own judgement; let them be your constant intelligencers of private affaires in the Court.

2. Sett your friends by, *if they are such they'l wait*, but surprize your enemyes, if you have any, with voluntary kindness.

3. Communicate your favours with unbyast hand, that all partyes may court you.

4. You have estate enough, and honour enough. Let the world kno' you covet nothing; all men then will covet you.

Let no man under you make a profit of your favours. One Gehezai in your attendants, will undo the merit of all your accions; he will gett the money, and you the curse of the person that payes it. Tis absolutely necessary to be popular. The peoples darling may be a few mens envy, but the peoples hate is a statesmans ruin. This opinion of the people is easily gain'd at first, and if lost at first, never reestablish'd. Tis gain'd by litle acts of courtisy; one generous man oblig'd, one oppresst man reliev'd, does a man of trust more honour than twenty ill tongues can blott out. In order to this, your trusty servants will enquire you out occasions enough [for] a generall forwarding and dispatch of petitions, and a thousand things which a man in such a post, with such a soul, never wants opportunity for. In the old Prince of Oranges⁴ army a captain that had long serv'd in the warrs, talking to a friend, was heard to say he would give 10000 guilders for such a regiment, the collonell being newly dead. 'Why do you not put in for it,' sayes his friend. 'Because,' saies he, 'the Prince has no kindness for me, and I kno' he will denye me.' The Prince, knowing him to be a man of meritt, sends the person who told him this story with orders to take his bond for the 10000 guilders upon condicion that he procur'd him the regiment, which he did accordingly. The next day the Prince sends for him, gives him the regimete, and as he was goeing out, 'Here,' says the Prince, 'and here's something for your equipage,' and threw him his bond. The man was so surprized with the

⁴ 'Maurice' written on the blank page opposite.

generosity of it, he turn'd from a prejudic'd person to the greatest admirer the Prince had.

Sir, this proposall of a generous bounty and courtisye is not directed because you want it, but because you have it. To suppose you want it wou'd first be an insolence unpardonable, as it would propose your feigning it, and so make a vertue of hypocrisy; but, as I have more than ordinary proofs of your being master of the quallity, I take the freedome to hint the uncommon advantage it gives you, to make your self truly great and have all men pleas'd with it. Envy allwayes goes with her mouth open, and you are not to expect that an advanc't post will shut it; but there is a secret in mannagement that checks it effectually, viz. a generall unaffected goodness of temper. Julius Caesar was remarkable for it, and conquer'd more enemies in the forum than in the field. A man can never be great that is not popular, especially in England. Tis absolutely necessary in the very nature of our constitution, where the people have so great a share in the government. Besides, the people here, in recovering their just rights, have usurpt some that are not their due, viz. censuring their superiours. But the government is bound to submit to the grievance, because tis incurable. Tis true a wise man will slight popular reproach, but no wise man slights the generall approbacion, because nothing but vertue can obtain it. Tis therefore absolutely necessary for a states man to be popular. A states man once in the peoples favour has a thousand opportunities to do with freedome what in a contrary circumstance he would not dare to attempt; for as the people often condemne hastily, they approve with more blindness than they censure, and yet, generally speaking, the common people have been allwayes in the right. A states man envy'd dares not attempt a thing which he knows is for the publick service, least the miscarriage falls upon himself. Cardinall Richlieu supply'd the want of the peoples favour by meer force and so ruin'd those that oppos'd him, as in the case of the Duke de Momorency and a multitude of others. Tho' this would be impracticable here, it shoves the absolute necessity of the king, *or of an equivalent*. And yet we find this Cardinall strove hard for the publick voice and us'd a thousand artifices to obtain it; among which this was one, that he never appear'd to his own resentments and, tho' a multitude of persons of all ranks were sacrific'd to his politick interest, yet he never would be seen in a matter of punishment. If a pardon was to be granted, he took care the debt should be to the Cardinall, but, if justice was to be done, that was in the King. A popular states man shou'd have the obtaining all the favours and let others have the mannagement of offences and the distribution of justice.

In your perticular case, Sir, you have but one publick misfortune, viz. that your friends for want of judgement are affraid of you, not affraid you'l hurt them but yourself. Twou'd be necessary to confirm them in the belief of all they hope to find.

No. 1. A Perticular step will absolutely effect it—of which by itself.

No. 2. A scheme of what I mean by popularity in your own perticular, and how to be both obtain'd and improv'd for the publick service, shall be drawn, if you please to admitt it.

No. 3. Also a method to make the office of Secretary of State an inner

cabinett, and execute necessary parts of private affaires without the intervention of the Privy Council, and yet have their concurrence as far as the law requires.

When a Prince is to act anything doubtfull or any thing likely to be disputed either at law or in Parliament, the Council is a necessary screen to the Secretaries of State. But in matters of war, treatys, embassys, private instructions, expeditions, how many such has the delay, the hesitations, the ignorance, or something worse, of Privy Councelors overthrown! Matters maturely advis'd, deliberately concerted, and absolutely resolv'd require but two quallificacions to legitimate their excecucion, (1) that they are legall, (2) really for the publick Good. Such need no Council table to screen them, fear no Parliamentary enquiry, and yet the authors are not answerable for the success. Cabinet Councils in England are modern and excentrick, and I question whether an accion which is not justifiable unless transacted in Council is justify'd by being so in the Cabinet. But Cabinets of ten or fourteen are monsters and useless. If her Majestie leaves the course of things to follow the nature and custome of English Kings, her Privy Council shou'd take cognisance of all needfull affaires, but her Treasurer and Secretary of State should be all her Cabinet, unless she had a well quallified Chancelour to add to them. Six sorts of great officers are the moving springs of the state, and I can not but own without flattery England was never capable of being better supply'd, I do not say is fully supply'd: a Lord Chancelor, a High Admirall, a Generallissimo, a Lord Treasurer, a Secretary of State, an Arch-bishop, who perhaps might expect to be put first, but not by me. Of these the first should be a good lawyer, the second a good sailor, the third a good soldier, the last a good divine. But the Treasurer and the Secretary ought to be good states men. The weight of all the publick affaires lyes on their shoulders—one for mannageing the revenues, provideing needful funds, maintaining publick credit, and regulateing abuses and exactions, etc.; the other for foreign intelligences, correspondence with the courts abroad, mannageing settling and obtaining confederates, observing and suiting affaires with the circumstances and interest of princes.

Intelligence is the soul of all publick bussiness. I have heard that our Secretaries office is allowed 12000^l per annum for this weighty article, and I am credibly informed the King of France has paid 11 millions in one year for the same article, and tis allowed he never spares his money on that head, and thereby out does all the world in the knowledge of his neighbours. How much of the 12000^l allow'd for intelligence is expended in our Secretarys office, I will not guess at; but this I presume, that, such a summe being so vastly disproportion'd to the necessary expence, the work is not done, and consequently the money that is given for it is lost. Our states men have been so farr from acquainting themselves with other countreyes that they are strangers to their own, a certain token that they ha' sought their private advantage not the publick service. The Secretaries office should be an abrigement of all Europe. Her Majesties Secretary of State ought to have tables of all the following perticulars to referr to, stated so regularly that they might ha' recourse to any perticular imediately. They ought to have, 1st, a perfect

list of all the gentry and families of rank in England, their residences, characters, and interest in the respective countyes; 2nd, of all the clergy of England, their benefices, their character and moralls, and the like of the dissenters; 3rd, of all the leading men in the cittyes and burroughs, with the parties they espouse. They ought to have a table of parties, and proper callculacions of their strength in every respective part, which is to be had by haveing the coppyes of the polls sent up on all eleccions, and all the circumstances of such eleccions hystorically collected by faithfull hands and transmitted to the office. They should kno' the names of all the men of great personall estates, that they may kno' how and when to direct any occasionall trust; they should have the speciall characters of all the justices of the peace and men of note in every county, to have recourse to on all occasions. Two trusty agents would easily direct all this, so if their hands are not too much tyed up as to money, and yet the persons entrusted not kno' who they serv nor for what end. The Secretary of State should have a table of all the ministers of state, lists of the households, the privy councils, and favourites of every court in Europe, and their characters, with exact lists of their forces, names of the officers, state of their revenue, methods of government, etca., so just and authentick and regularly amended as alterations happen that by this he may duly estimate their strength, judge of their interests and proceeding, and treat with them accordingly. He should keep a correspondence of friendship in all courts with ministers of like quallity, as far as may be honourably obtain'd and without prejudice carry'd on. Mr. Milton kept a constant epistolary conversacion with severall foreign ministers of state and men of learning abstracted from affaires of state, but so woven with politicall observacions that he found it as usefull as any part of his foreign correspondence. A hundred thousand pounds per annum spent now for 8 year in foreign intelligences might be the best money ever this nacion laid out, and I am persuaded I could name two articles where, if some money had been well apply'd, neither the insurreccion in Hungary nor the warr in Poland should ha' been so fatal to the confederacy as now they are. If it may be of service, I shall give a scheme for the speedy settleing those two uneasy articles, and consequently bringing down such a force on the French as should in all probability turn the scale of the warr on the Danube and the Po.

No. 4.

A settl'd intelligence in Scotland, a thing strangely neglected there, is without doubt the principall occasion of the present misunderstandings between the two kingdomes; in the last reign it caus'd the King to have many ill things put upon him, and worse are very likely to follow. I beg leave to give a longer scheme of thoughts on that head than is proper here, and a method how the Scotts may be brought to reason. There is a large article of spyes abroad among the enemies. This I suppose to be settl'd, tho' by our defect of intelligence, methinks it should not; but it reminds me of a book in eight volumes published in London about 7 or 8 yeares ago call'd *Letters writ by a Turkish spy*.^b The books I take as they are a meer romance, but the morall

^b The earliest English edition of this well-known work mentioned by Lowndes appeared in 1691.

is good. A settl'd person of sence and penetracion, of dexterity and courage, to reside constantly in Paris, tho,' as 'tis a dangerous post, he had a larger allowance than ordinary, might by one happy turn earn all the money and the charge be well bestow'd. There are 8 towns in France where I would have the like, and they might all correspond, one at Thoulon, one at Brest, one at Dunkirk. They three might trade together as merchants, and the fourth also with them. As intelligence abroad is so considerable, it follows in proporcion that the most usefull thing at home is secrecy; for, as intelligence is the most usefull to us, so keeping our enemyes from intelligence among us is as valluable a head. I have been in the Secretarys office of a post night when, had I been a French spy, I could ha' put in my pocket my Lord N[ottingha]ms letters directed to Sir Geo. Rook and to the Duke of Marlebro' laid carelessly on a table for the doorkeeper to carry to the post. How many miscarriages have happen'd in England for want of silence and secrecy! Cardinall Richlieu was the greatest master of this vertue that euer I read of in the world, and, if hystory has not wrong'd him, has sacrific'd many a faithfull agent after he had done his duty, that he might be sure he should not be betrayed. He kept three offices for the dispatch of his affaires, and one was so private that none was admitted but in the darke, and up a pair of back remote stairs, which office being at the apartments of his niece made room for a censure past upon her character, which the Cardinall chose to suffer, that he might have the liberty to transact affaires there of much more moment. This is a principall reason why I object against bringing all things before the Council, for I will not affirm that the minutes of our Privy Council have not been read in the Secreatryes office at Versailles. Tis plain the French out do us at these two things, secrecy and intelligence, and that we may match them in these points is the design of the proposall.

Further schemes as to trade funds for taxes, etca., relating to the Ld Treasurers share in the public administracion I omitt, haveing taken up too much room with this.

No. 1. What I mean by a step to confirm your friends in the belief of what they hope for from you can not be explain'd without filling your eares with some of those ill-natur'd things they take the freedom to say, viz^t that you are a man wholly resolv'd to make your fortunes and to bring it to pass will sacrificize your judgement as well as your friends to your intrest; that you gave proofs of this in embracing the party of those people who pleas'd themselves and strove to be popular at the expence of King William; that you forsook the king, who treated you kindly, and that his Majestie spoke of it in very moveing terms, as what he was concern'd for; that now you have forsaken the Dissenters and fallen in with their enemyes and promoted the first Occasionall Bill; cum multis aliis, etca. Sir, it is not that I suppose the Dissenters ought to be deciev'd, or that you will deciev them, that I repeat it again, *they are to be pleas'd with words*. But, Sir, as good words are usefull in their place, so when not spoken with design [they] are honourable in themselves. There is no imediate accion by which you can demonstrate you will serve them. Onely let some proper persons carefully inform them that on all occasions they may depend on your good offices with the Queen, and give them

some notices by such hands as may be trusted that you are their friend. Particularly it may be very easy to possess the Dissenters that they owe the change of her Majesties sentiments with relation to the Occasionall Bill to your managment and councils, and that her Majesties changing sides was, together with the measures you prescrib'd, the onely reason of the majority obtain'd in the House of Lords against the said bill. To effect this a short paper shall be handed about among the Dissenters onely, giving them a pretended view of the measures taken by some persons, *nameing none*, to convince the Queen of the unreasonableness of this bill. It can not fail to open their eyes that you are their friend, and yet, if your affaires should require you to disown such a paper, it shall easily be true that you had no knowledge of it, for you may really know nothing of it. If my service in another case is accepted, I shall take care to make such a paper be read in all parts of the kingdome. I allow the particular steps mencion'd in such a paper may not be fact, yet, if it [be] really fact that you have appear'd against the bill, that you have influenc'd and advis'd her Majestie in favour of the tolleracion, etca., the generall is truth and therefore the design just. This is part of the particular step markt No. 1.

No. 2. Of popularity.

That which I call popularity may a little differ from the thing which goes by that name in the generall opinion, and therefore tis needfull to distinguish the term. Popularity in generall is the generall esteem of the people; but the popularity I mean must have an adjunct, vizt. a generall esteem founded on good accions, truly meriting the love of the people. Tis true the people are not so apt to love as to hate, and therefore, when the former is fixt on a person, it ought to implye some merit. But this is not universally true, for the people sometimes love by antithesis, and sho' a generall affection for one person to sho' their disesteem of his enemy, and this may be visible in the case of the Duke of Munmouth, who really had not a great deal of personall merit. We say happyness consists in being content; but I must denye it, unless the contentment be fixt on a centre of vertue, for a vicious man may so be more happy than a vertuous, and a mad man than both. So here a man may be popular without merit, but that popularity will neither be usefull nor serviceable:

For tho' by wicked acts men gain applause,
The reputacion's rotten, like the cause.

A wise man is willing to be popular, and a wise states man will be so, but it is such a popular esteem as rises from acts of vertue, bounty, and noble principles. Tis my opinion, Sir, as to yourself, and I speak it with the same plainness as I do things less smooth, that I ought to use more arguments with you to perswade you to desire this popular esteem than to deserv it. And therefore, Sir, I leave the philosophy of the argument to your own speculation, and go on to the present case. The popularity I mean now is—a politicall conduct of your self, between the Scylla and the Charibdis of parties, so as to obtain from them all a generall esteem. Tho this part of conduct is call'd dissimulacion, I am content it shall be call'd what they will, but, as a lye does not consist in the indirect position

of words but in the design by false speaking to deciev and injure my neighbour, so dissembling does not consist in putting a different face upon our accions but in the further applying that concealment to the prejudice of the person. For example, I come into a person's chamber who on a surprize is apt to fall into dangerous convulsions ; I come in smileing and pleasant, and ask the person to rise and go abroad, or any other such question, and press him to it till I prevail, whereas the truth is I have discovered the house to be on fire, and I act thus for fear of frightening him. Will any man tax me with hypocrisye and dissimulacion ? In your particular post, Sir, you may so govern as that every party shall believ you their own. I think I may answer for one side, and shall think very meanly of my own designs if I do not bring the Dissenters to believ it firmly, if you please to give me leave to act as effectually as I may convince you will be needfull. The Dissenters, Sir, may be brought :

- 1, To believ better of past accions, of which I mean in the scheme no. 1 ;
- 2, They shall allwayes believ you their friend with the Queen ;
- 3, Take you for their advocate and applye to you on all occasions ;
- 4, Freely acquaint you of all circumstances relateing to what they desire or fear ;
- 5, If ever you find occasion, you may be the head of the whole party, and consequently influence them as you please ;
- 6, You will have the opportunity upon all occasions both to represent them right to the Queen, and the Queen right to them, the want of which has been injurious to both ;
- 7, You will caucion them against indiscrecions, and anything that may be to their disadvantage ;
- 8, You may at second hand acquaint them of the designs of a party against them, and have the honour of saving them from the mischief intended. The influence your office, as well as personall merit, gives you on the Queen will give you opportunityes either to bring off many of the hott men on the other side or to discourage them that they may cease to disturb ; and as to the moderateest of them, you will often by serving them oblige them to acknowlege you. Of the moderate men you are secure, and they can not but both approve your conduct, as they see it moves towards the reall happyness of us all. This is the dissimulacion I recomend, which is not unlike what the Apostle sayes of himself becoming all things to all men, that he might gain some. This hypocrise is a vertue, and by this conduct you shall make yourself popular, you shall be faithfull and usefull to the Sovereign and belov'd by the people.

No. 8. Of making the Secretarys of State an inner cabinett to the Queen.

If the Secretarys of State have a right understanding and act entirely in concert, it will forward it exceedingly. The Secretarys should have a sett of able heads, under a secret management, with whom to make generall callculacions, and from whom to recieve such needfull informacions as by other agents under them may be obtain'd in all necessary or difficult cases, and yet these secret heads need not correspond. From this fund of advice all things needfull to be concerted for the occasions of state may be form'd into schemes and come out perfect. The proposalls made by the Secretarys shall no more be embrios, and be brought before the Council to be argued and amended, but shall be born at once and come before them wholl and compleat, and the Council have

little to do but to approve a thing as it is proposed. If all the proposalls relateing to publick matters were thus digested, her Majestie would find there was a secret sufficiency some where in her Secretarys office that in time would bring both herself and Council to depend upon the Secretarys of State for all modells of accion, as well as the mannagement, and thus, Sir, I have brought out what I affirm'd at first, that the Secretary of State must of course be Prime Minister. An essay or two of this nature shall be made when you please.

I acknowledge the conjunccion of the Lord Treasurer for the time being would make a compleat conduct, because tis impossible but his Lordship must be furnisht with such helps as may finish things with less difficulty. In this concert all the great accions of state, all orders given to admiralls and generalls, all forreign treatyes, and forreign intelligences, would reciev their last turns, be digested, and finished, and the Queen see herself mistress of the most capitall part of her affaires before they come before the Council. All funds for taxes, wayes and meanes, projects of trade, etca., shall be here form'd into heads, and either be fitted for excecucion or laid aside as impracticable, and my Lord Treasurer be eased of the intolerable impertinence of fund makers and projectors. Secret matters relateing to partyes, to private persons, home mannagement, etca., will here be settl'd, determin'd, and prepar'd for excecucion. Here all the bussiness of the Crown, the affaires of law onely excepted, will center, and the Secretarys office be thus the onely Cabinet. This would make our accions uniform, our councils secret, our orders regular and practicable, and the excecucion punctuall. This would bring the Secretarys office, and above all the Secretary, into such reputacion that orders issued would have more regard, since resentments of misconduct would lye in the breast of the Secretary and be very certain and severe. Here would be a Prime Ministry without a grievance, the people pleas'd, the government serv'd, envy asham'd, intreagues fruitless, enterprizes successfull, and all our measures be both better directed and better excecuted. Att home partyes would be suppress, furious tempers on all sides check't and discountenanc't, peace promoted and union obtain'd. All the leading men of all sides would be influenc'd here, by a rare and secret mannagement; they should never stir nor speak as a party but it should be known. Not a mayor or an alderman in any corporacion, not a shereif of a county, not a member of Parliament or Convocacion, could be elected, but the Government should kno' who to oppose and how to do it, if they saw fitt. This would be the wheel of all publick business, and all the other bussiness must of course depend on the mannagement of this office.

No. 4. Some consideracions with relation to the affaires of Hungaria and Poland.

First, I lay it down as a principle, that the present insurreccion of the Hungarians, be their pretencions never so just, or their provocacions great, the invasion of Poland by the Suede and dethroneing the King, however unjustly he may have acted, are fatall embarrasments to the present confederacy, and in effect great helps to the French in their over runing the Empire and in their attempt on the libertyes of Europe. This being allowed, the wholl confederacy are bound in the consequence to support the Emperor against the Hungarians and the king of Poland against the

Swedes. If it be objected, why not as well the Swede against the Pole and the Hungarians against the Emperor, since otherwise you fight against the Protestant religion, I return, *This is not a war of religion*. The present question is not Protestant or Papist, but liberty or universal monarchy; and if it were a war of religion, tis not Protestant or Papist in Hungary and Poland, but in England, Holand and the Empire. Now, if the Hungarian or Swedish Protestants will have so little regard to the interest of the Protestant religion in generall as to make their private share in it clash with the generall, we must do by them as we do by our neighbours when the street is on fire, blow up their houses to save the wholl town. Twould be preposterous temporising, if we should suffer ourselves to be over run for fear of their being ruined. These unfortunate Christians of Hungaria have had the misfortune once before to attempt their liberty in a juncture and in a manner as improper as this, and that was when the Turks came down, or rather when they brought the Turks down, to the siege of Vienna. Now, tho' some people here were so weak to wish the Turks shon'd take the citty because thereby the Protestants would be establish'd, yet no man that could see an hour before him could say but it were better for all the rest of Europe that the Protestants of Hungaria were entyrelly rooted out and destroy'd than that the Turks should take the citty of Vienna; and therefore we find the Protestant princes of Germany were the first and forwardest to march to the relief of it, and the Hungarian Protestants could expect no less. On this account *Delenda est*. The work must be done; Protestant or Papist, the troubles in Hungary must, if possible, be appeas'd one way or other, and the onely remaining question is how it must, or may rather, be brought to pass. I grant that, as in the simily before, endeavours are allwayes made use of to quench the fire before the blowing up of any houses, so here negociations should first be attempted and accommodacions propos'd. The Hungarians are without doubt an opprest people, and on the other hand the Emperour is in danger and the juncture favourable. The English and Dutch forming a project of peace and pacificacion and entring into a close imediate treaty on both hands, there is great reason to believ both sides might be brought to see their intrest. First, the reall grievances of the Hungarians to be considered, drawn by way of abstract from Prince Rakocsi's declaracion; and if any mittigacion of demands were tho't reasonable, room left to adjust them by a treaty. Here it may be considred some are capitall articles which must be granted on both sides, as restoreing the Prince, restoreing the free excercise of religion, retrenching the usurpacions of the Romish clergy, calling the assembly of the Estates and leaving them at full and entire liberty to act, withdrawing forreign forces, and the like. On the behalf of the Emperor some capitall articles must be insisted on, such as laying down arms, restoreing towns, delivering magazins, renewing alleigance, and aiding him against the French, and the like. As to matters of taxes, trade, imposts, freedome of passages, bounds of estates, and all things relateing to property and civill justice, these may be and must be settled among themselves by treaty or in an assembly of Estates. But for the other an imediate envoy to be sent to the Emperor, or instruccions to the Resident there, as follows: In the name of the wholl confederacy to represent to the Emperor

the necessity of complying with the Hungarians, and to let him know that on these terms peace is both honourable and reasonable, and that, if his Imperiall Majestie will not yield to such a proposall, allowing such alteracions or addicions as are reasonable, they shall think themselves disengag'd from any extraordinary care of the Empire any farther than by treatyes they are bound, and that they will immediately supplye the Hungarians with 1000000^l sterling to enable them to settle themselves independent of the Empire and establish Prince Rakocsi king of Hungary and Transilvania, and maintain him in the possession of the same. At the same time a faithfull agent to be sent to Prince Rakocsi to represent to him, that, as now he has a favourable opportunity to restore religion and liberty in Hungary, and reestablish himself and his family, so he ought to let his demands be govern'd by the true and just reasons of his takeing up arms, and not build upon the prosperity of his affaires designs which may embark other nacions in a necessary quarrell against him; that they will concern themselves to mediate with the Emperor such a peace as may secure Hungary against future oppressions, but that, if he pushes on his designs beyond the just demands of reason, they shall be oblig'd to concern themselves against him; that, as they are ready on the project of peace tendred them to oblige the Emperor to comply with it, so, if not accepted, they have resolv'd to assist the Emperor with 25000 men to be rais'd and maintain'd at their own charge, i.e. the confederates, in order to reduce them by force. These proposalls warmly made, positively insisted on, and resolutely carry'd on, together with a dextrous management, would in all probabillity soon bring the matter to a finall conclusion. It is not sufficient to say this is talking big to no purpose, and is like thunder at a distance, which scares no body, because they are out of the danger, for where will the confederates find 25000 men, etca., for the service. To this I answer, we can find the money, and there's no fear of the men if the money be ready. The Emperor, if he wanted money no more than he wants men, would beat the French out of the Empire in one campaign. On the other hand the Protestants in Hungary want no men, they want onely arms, amunicion, and officers. The last may be supply'd them very well, and money will supply the first with very little difficulty. The advantage of this peace nobody will dispute.

As to Poland, the Swede is now aggressor, and as he was really injur'd by the Pole in an unjust invasion of the Swedish Livonia, yet he ought to be prevail'd with not to carry his private resentments on to affect the present confedracy, of which the king of Poland is a member. When the Swede was embarrast with the Dane, the Muscovite, and the Pole, the English and Dutch interpos'd and gave the king of Danemark the mortification of seeing the conquest of Holstien, which was almost compleat, turn'd upon him and a powerfull army almost at the gates of Copenhagen. They have the same right and as much reason to restrain the Swede from kindling a war in the bowells of the Empire, which will certainly be the effect of his dethroneing the king of Poland and marching a Swedish army into the Dukedome of Saxony, which appears now to be the design. How shall this be done? Embassyes and memorialls have been try'd allready, and we do not pretend our envoys in that case

have been very well treated, haveing been made to follow the Swedish camps and being deny'd audience. One positive memoriall delivred him, with subjoin'd preliminaries of a treaty between the Poles and their king, and between himself and the king of Poland, upon condicions both honourable and advantageous for himself, with a resolution of the English, the States General, and the king of Danemark, to declare warr against him in case he refuses to treat, would effectually end that warr in two months time. First, I grant the condicions ought to be very good, and very mortifying to the king of Poland, because the Swede was injur'd in the invasion of the subjects. Second, But there is a great difference between demanding satisfaccion of a Prince and setting his own subjects to dethrone him ; there is something more dishonourable in that than in the injury he receivd. But suppose he shall reject the proposall—Act like the French, make the offer with sword drawn, send a strong squadron into the Baltick, not after the ambassador, but with him. If the Swede refuses, assist the Muscovite, let him take the Narva, which he would soon do, if the Swedes are kept from relieving it. This fleet will effectually cut off his comunicacion with his own dominions, expose all Liefland⁶ to the Muscovites, deliver Dantzick from the insults of the Swedes, and force him to complye or be ruin'd. But if it be objected he will joyn with France—If he does, he is undone, France can no way reliev him but by sea, and the confederates will comand the Sound and the passages of the Belt. Here a project for obligeing the Swede by an invasion of Schonen will be to the purpose.

* Livonia.

Reviews of Books

Aristophane et les Partis à Athènes. Par MAURICE CROISSET.
(Paris : Fontemoing. 1906.)

THIS little book is the result of a feeling of dissatisfaction in the author's mind with the views expressed by Couat, Gilbert, and others as regards the relation of Aristophanes to the political parties of his day. All writers on the subject have noticed, naturally enough, the criticisms passed by the comic poets on the leaders of the democracy, and most have concluded without more ado that the poets were partisans of the aristocratic or diplomatic party. It is this conclusion that M. Croiset disputes. He does not, it is true, meet all the arguments used by Couat. The latter had contended that, in spite of the employment of the lot, the archons, two of whom had the control of the chief Dionysiac festivals, were in fact drawn mainly from rich and aristocratic families, for such alone could have maintained the necessary state; that the choregi were likewise men of substance (this, of course, is obvious); that in all probability the judges of the plays were drawn from a limited circle of men of more or less artistic tastes; and that all this implies that the sympathies of magistrates, choregi, and judges would generally be antidemocratic, and that no poet would have much chance of success who was a thorough supporter of democracy. M. Croiset does not reply in detail to these contentions; in fact there was no need to do so, for they are not supported by any substantial evidence, and seem to have been devised to justify the foregone conclusion that the poets were not favourable to popular government. But he analyses carefully, though briefly, the composition of the Athenian people, and the plots of each of the extant plays of Aristophanes, and concludes that the aim of the poet throughout was moral rather than political reform; that though he deplores that condition of the public mind which resulted in the dominance of a succession of demagogues, and though he displays much personal hostility to some of the latter, he does not stand on any political platform, much less sympathise with the revolutionary and oligarchic party; but that the theme of the plays whose subjects are mainly political was suggested by the circumstances of the months immediately preceding and not by any theory of government.

Couat had laid stress on the aristocratic character of the circle in which Aristophanes moved, as pictured in the *Symposium* of Plato; M. Croiset distinguishes this social circle sharply and accurately from the oligarchs, whose politics were grounded on theory and who actually desired (and

when occasion offered attempted to secure) constitutional changes. The latter class included such men as Antiphon and the author of the treatise on the constitution of Athens, wrongly ascribed to Xenophon. With such men, as represented by the treatise, Aristophanes had nothing in common. He held no view of the essential badness of popular government; he merely disliked a special phase of the popular mind, and made free use for the purposes of comedy of the abundant malicious gossip which circulated among the Athenians in regard to prominent men, not as the expression of any organised party feeling, but because the Athenians were *frondeurs et malins*. While mingling freely, as he probably did, with the younger and gayer aristocrats, and perhaps discussing the ideas of his plays with them and receiving humorous suggestions from them, there is nothing to show that Aristophanes was in any way subservient to them; nor indeed were they men in any case of much political importance. The *Clouds* is sufficient to show his detachment of mind; for it was in aristocratic circles that Socrates and the sophists found their pupils and imitators, and Aristophanes regarded the influence of Socrates and the sophists as wholly bad. He disliked it as productive of insincerity and as tending to find justifications both for political corruption and for immorality of life; and he equally disliked the ascendancy of the demagogues, and desired to see the people of Athens judging freely and intelligently for itself, neither deceived nor intimidated by the noisiness and the brutality of a Cleon or a Hyberbolus. His ideal is the complete freedom of mind and of action which the funeral speech of Pericles describes, and which sophists and demagogues tended (as he thought) to destroy.

M. Croiset's careful argument is nearly always sufficient to justify his conclusions. He goes perhaps beyond his evidence in connecting the poet particularly with the rustic population of Attica; no doubt the ideal simplicity of life and thought which he favoured was better realised in the country than in the town, and his intense desire for peace would be shared by the farming class; but the rich men generally were equally desirous of peace; whether they lived in the city or out of it, war was disastrous to them. *ναῦς δὲ καθέλκει τοῖς πένησι μὲν δοκεῖ τοῖς πλουσίοις δὲ καὶ γεωργοῖς οὐ δοκεῖ*. In fact, comedy was a rural performance in its earliest stages, and the rustic of the type of Strepsiades and Trygaeus was a traditional character in it; there is no need for the conjecture that the poet's father Philippus was a rustic of this type. Nor is there really any evidence to prove that the Athenian rustic population were as superior in numbers in the theatre at the Dionysiac festivals, which of course they attended, as the city crowd were in the assembly, which the rustics did not attend. No such conjecture is required to account for the character of comedy. It is also somewhat unfortunate that the writer has made so little reference to the evidence of the fragments of the lost poets. Aristophanes cannot really be treated in isolation, and there are plenty of fragments which show where the sympathies of the old comedy as a whole lay. Couat made free use of these, and if M. Croiset had wished to give a complete account of the bearing of the old comedy on politics he must have included these in his review. As it is he has answered the questions which he has raised in regard to

Aristophanes without sufficiently recognising that the same questions demand an answer in regard to the old comedians as a whole; and that while his general desire for peace and moral reform, coupled with the special political circumstances of each year, would suffice to account for the general character of Aristophanes's work, without the assumption that he held any definite political theory, some rather deeper and more general causes must be sought if we are to account for the extraordinary uniformity of the political views expressed throughout the remains of the old comedy. But M. Croiset has given us an essay which so far as it goes is of great interest and value, and which is as suggestive in detail as it is successful in establishing its main thesis.

A. W. PICKARD-CAMBRIDGE.

Die römische Timokratie. Von Dr. FRANCIS SMITH.
(Berlin: Nauck. 1906.)

IN this work we have an attempt to apply radical criticism of the kind made familiar by Professor Ettore Pais (whom the author quotes with approval) to the traditional account of the *comitia centuriata* and its divisions. Dr. Smith's theory is that the 'timocratic' division of the *exercitus urbanus* into five (or six) property classes was the work of the censors of B.C. 179, M. Aemilius Lepidus and M. Fulvius Nobilior, and is described by Livy (xl. 51) in the words *mutarunt (censores) suffragia, regionatimque generibus hominum causisque et quaestibus tribus descripserunt*. Now these words, taken in their natural sense, refer to the enrolment of Roman citizens in tribes, and have therefore no obvious connexion with the constitution of the *comitia centuriata*; and the explanation of *causis* as including age and property qualification is decidedly forced. It would be necessary, therefore, to adduce very strong reasons for the view that we have here the only reference to a constitutional change of great importance in Roman history, or at least in Roman tradition. We cannot, however, admit the cogency of Dr. Smith's proofs. They rest to a very large extent on *a priori* reasoning and on the *argumentum ex silentio*, from which it is very unsafe to draw historical conclusions. It is easy enough to show in detail the difficulty of reconstructing the army of the Servian constitution and its equipment on the basis of the property classes as described to us by Livy and Dionysius, and to raise difficulties as to the method of enrolment when complicated by questions of inheritance, division of property, &c.; but it must be remembered that similar *ἀπορίαι* might be raised concerning the timocratic arrangements of Solon (or some earlier reformer); yet no one doubts that such a constitution was found workable at Athens. Our knowledge, it is true, does not enable us to solve the problems connected with the early history of the centuriate assembly; but that is no reason for denying the existence of its most distinctive features as recorded in Roman tradition. It is moreover suspicious that whereas the details of the timocratic system are not easy to reconcile with certain statements of Polybius—this, indeed, is one of Dr. Smith's main arguments (p. 6)—the system itself was, according to Dr. Smith's own theory, called into existence during Polybius's lifetime. The author evades this difficulty by the assumption that it was 'born dead' (p. 157); but this seems a hard saying in view of the

importance attached to it by Cicero, Livy, and Dionysius. The inconsistencies which may be traced between their several accounts of the system certainly tell in favour of an early rather than a late date. Nor can we attach great weight to such arguments as that while tradition ascribes the *classes* to Servius Tullius the censorship dates only to 485 B.C., and the money qualifications are stated by our authorities in terms of a currency introduced about 268 B.C.; for we may admit the existence of a timocratic constitution in early Rome without being in the least pledged to accept even so much as the historical character of Servius Tullius, and with the fullest admission of ignorance as to the gradual adaptation of the system to changed conditions. The only *fact* adduced by Dr. Smith which lends colour to his view is the use of the expressions *classis* (with reference to the first class only) and *infra classem* in the speech delivered by the elder Cato in 169 B.C. in support of the 'Lex Voconia'; but we must remember that even on Dr. Smith's theory the new arrangement was by that time in existence, while we do not know the context in which the phrases were used, and cannot therefore be sure that they contained any reference to contemporary or even recent conditions. We cannot, finally, think that the erection of a panel of 300 *tribuni aerarii* by the 'Lex Aurelia' of 70 B.C. points to the number of 300 'tribe centuries': it is clear that the *tribuni aerarii* of 70 B.C. were simply a class of citizens appearing in the census books with a certain property qualification, from whom one-third of the *album iudicum* was drawn.

H. STUART JONES.

Saint Jérôme et ses ennemis; Etude sur la querelle de Saint Jérôme avec Rufin d'Aquilée et sur l'ensemble de son Œuvre polémique. Par J. BROCHET, Docteur ès Lettres. (Paris: Fontemoing. 1906.)

FEW ecclesiastical controversies seem so barren and dreary to the ordinary reader as those which were waged after Origen's death with regard to his orthodoxy. It was assailed and defended with a passion almost incredible but for the well-known tendency of controversialists to forget in the excitement of the battle the original cause of the quarrel; and with Origen, as afterwards with Pelagius, the doctrines singled out for censure strike us now as being of varying degrees of heterodoxy; some we feel we could not subscribe to, others seem speculations of a very harmless character, but all were attacked and condemned with equal vigour by their opponents. But the Origenistic controversies are peculiarly complicated and puzzling, from the fact that most of the champions fought on both sides; it is only by careful attention to the dates of our documents that we can keep from hopeless confusion as to why one writer is attacking another. Epiphanius certainly was consistent in his opposition to Origen's teaching, and Rufinus consistent in propagating it; but Theophilus of Alexandria and John of Jerusalem moved to the anti-Origenist camp in the middle of the campaign, and even Jerome found it anything but an easy task to convince unsympathising critics that he had admired Origen only as a scholar and commentator, never as a theologian. To add to the trouble both Jerome and Rufinus had translated parts, and sometimes the same parts, of Origen's works, and each accused the other of disseminating heresy by his action; it was like the

'last dim, weird battle in the west,' where 'friend and foe were shadows in the mist, and friend slew friend, not knowing whom he slew.' Of course there were other causes which made the struggle so big and made Rome the principal battlefield. With the translation of Origen's works into Latin, eastern theological speculation in some of its most daring forms was introduced to the west; and when Rufinus moved from Palestine to Rome, in 398, another movement was still agitating Roman society, the rise of the monastic and ascetic life; and as the great advocate of that life had been Jerome, so around any opponent of his would rally both those Christians who were opposed to the new development and also the mass of easy-going clerics whose vices Jerome had so unsparingly lashed years before. There was the intellectual movement and there was the ascetic movement; and when Jerome finally triumphed over Rufinus it was for a time at any rate the defeat of free speculation and the victory of the monastic ideal.

The quarrel between Jerome and Rufinus naturally takes up the main part of M. Brochet's book, and he has succeeded in unravelling the threads in the tangled skein and in producing a history which is not only clear but interesting; and, considering the dulness of most English church histories when treating this subject, this is a great deal. But Jerome had more enemies than Rufinus; and M. Brochet has also given us a careful account of his other controversies, with copious extracts from his own vigorous polemics. M. Brochet himself takes Jerome's side throughout, and his book, therefore, is a contrast to the able but bitterly hostile biography on which Dr. Grützmacher, of Heidelberg, is engaged; we await the last volume of that work with interest, and wonder whether we shall be able to recognise in his account of the Origenistic controversies the hero whose fortunes we have followed in M. Brochet's graceful pages.

H. J. WHITE.

Iohannes Scottus. Von EDWARD KENNARD RAND.
(München: Beck. 1906.)

THE first part of Professor Traube's new series *Quellen und Untersuchungen zur lateinischen Philologie des Mittelalters*, entitled '*Sedulius Scottus*,' by S. Hellmann, which we noticed last year, has been speedily followed by a second, which contains editions of the commentary of Iohannes Scottus and the commentary of Remigius of Auxerre on the *Opuscula Sacra* of Boethius. The work is equipped with a preface from the pen of Dr. Traube, who enumerates autographs of John still existing and makes a strong appeal for a complete edition of his works, introductions, a list of manuscripts, and three short appendices on the glosses of John on Martianus Capella, the glosses of Heiricus of Auxerre on the writings of Augustine and Boethius, and John and Pliny's *Natural History*.

The scholia, which the author vindicates for Iohannes Scottus, were probably taken down by a pupil and thus propagated. They show the importance which the sacred opuscula of Boethius have at the beginning of the development of medieval thought, and how through the influence of the great Irishman they helped to produce scholasticism. John appears here not only as a great theologian but as a great grammarian. The glosses are found sometimes as a complete work, sometimes they accom-

pany the text; of both forms there are manuscripts as old as the ninth century. They were quite worth publishing, and the editor appears to have done his work well. They contain a good deal to interest the theologian and the student of medieval Latin, as well as the historian. The following passage is worth quoting :—

Alicuius: scilicet patris et filii, licet Graeci dicant a solo patre procedere spiritum sanctum. Sed convincuntur auctoritate. ss. Haec autem heresis nuper orta est, tempore scilicet Nicolai papae, et ut fertur causa invidiae inventa. Praedictus enim papa Bulgros, qui sunt Graecis vicini, misso episcopo Formoso convertit ad fidem Christi. Quare Graeci ducti invidia, nescientes qualiter Romanis aliter derogarent, invenerunt hanc heresim, fidei catholicae repugnantem, quasi spiritus sanctus a solo patre procedat. Quam rem refert ipse papa in epistolis, quas per Gallias mittens Graecos utpote hereticos damnavit.

On p. 42, 17, there is an extract from St. Jerome which the editor has not succeeded in identifying; nor can the present reviewer find it.

Here is a suggestion of the editor of this Review, which he has communicated to me on the ICPA of pp. 88–4 :—

The glosses on the Isagoge are held by Traube (*Neues Archiv*, xviii. 104) to be probably not by Heiric. I think he is right. But who is ICPA? Rand suggests Greek characters (p. 84). The word is on an erasure which has been examined by several scholars. May not the Greek suggestion supply the clue? Ruotger in his *Vita Brunonis*, c. 7, mentions 'Israel episcopus Scottigena' as a teacher of Archbishop Bruno. This would be soon after 940. ICPA[HA] would almost fill the space, and nobody in those days would scruple to scan Israël. I see the Paris MS. 12949 is claimed for the ninth century. If this be so my guess falls to the ground. But the discrimination between ninth and tenth century writing is often uncertain.

There are misprints on pp. 80, 2; 84, 14; 40, 84.

The commentary by Remigius of Auxerre is almost contemporary with the other. The editor does not give it fully, but merely publishes some extracts. In this he has probably done rightly, because it is clearly based on the earlier commentary of Iohannes Scottus. The editor gives an interesting list of parallels between it and other works attributed to Remigius. Two of them have some bearing on the vexed controversy as to the Haymo-Remigius commentary on the Epistles of St. Paul. Rand has not noted, however, that the sentence *mulier sexus et naturae nomen est, non corruptionis* (pp. 98, 104) belongs to Pelagius (*in Gal.* 4, 4), and from him has found its way into various later commentaries, but not into the Haymo-Remigius commentary. There is a passage of some historical interest on p. 105 :—

Nam et beatus Augustinus Deboracensis episcopus—Deboracus enim metropolis est Britanniae—cum a sancto Gregorio missus ad Anglos proficisceretur convertendos ad fidem Christi, transiens per iter Galliarum vidit ibi consuetudines ecclesiasticas decentissimas, quae Romae usui non erant, super quibus scripsit beato Gregorio interrogans, si illas privatas consuetudines liceret observari. Cui ille respondit nihil obesse, sed potius prodesse, si res ecclesiasticae decenter ordinentur, dummodo fides eadem inviolabilis permaneat ubique. Alteram enim consuetudinem retinet ecclesia Romana quam nostra.

There is a misprint on p. 90, note 1.

ALEX. SOUTER.

England under the Normans and Angevins, 1066-1272. By H. W. C. DAVIS. ('A History of England in six volumes.' Vol. III.) (London : Methuen. 1905.)

The History of England from the Accession of Henry III to the Death of Edward III, 1216-1377. ('The Political History of England,' Vol. III.) By T. F. Tout. (London : Longmans. 1905.)

If I have been honoured by a request to give an account of these two volumes, it is not so much doubtless because they both deal, in part at least, with a period of history which I have myself treated as because they present two parallel attempts to sum up the results of modern inquiry into the history of England in a manner analogous to that which is in course of publication for the history of France and in which I have taken part. It was intended to obtain the opinion of one who knew by experience how difficult it is to condense into a volume for the cultivated public the main results of research upon an extended period of national history. Nothing is harder to do ; for the public has a right to expect from the authors of such works not only unexceptionable information, and skill in steering a way through the numberless dangers inseparable from the type of book, but also some talent for exposition. With regard to the former, the question at once arises whether or not it is necessary to devote oneself exclusively or specially to political history, and what share of space should be given to detailed accounts of literature, of art (or rather of the arts), of manners, &c. In a narrative of political events should the aim be to give a complete general view in brief, at the risk of producing a dry abstract without colour or flavour, or rather to concentrate the light on a few great typical and decisive episodes in order to mark a small number of deeply cut impressions ? Is the narrative to be supported by footnotes, and if so to what extent ? As it is impossible to deal with all topics at equal length, it is obviously important to substitute for the details which are beyond the scope of the work references to books where such details can be found. How is the bibliographical apparatus to be supplied ? Should the references be furnished in the text as they are required, or in an appendix ? in classified lists, or in the shape of dissertations on authorities original and modern ? The editors of a general history as much or more than their collaborators are responsible for the choice made between these alternative schemes. But however great the merit of the individual writers engaged, on the initial decision in such matters the character and value of the whole work will often depend.

The series of which Professor Tout's volume forms a part is distinctly, as its title announces, a political history, which 'will primarily deal with politics.' Indeed, in this volume in particular, what is concerned with other features of the life of the society is reduced almost to nothing. Mr. Davis also says (p. x) 'Politics are the main subject of this volume,' but as a matter of fact his chapters devoted to the history of civilisation (vi., xix.) are relatively ample. The two writers have aimed at giving a complete summary in perspective of the course of political events ; but Mr. Tout's chapters are more exactly divided by chronological considerations. With Mr. Davis some episodes (for instance, chapter vii., on the

Becket controversy) are treated separately and examined as thoroughly as is possible in a work of this kind.

The arrangement of the critical apparatus in the series to which Mr. Davis's book belongs appears to be beyond criticism in point of principle. First, the footnotes are sufficiently abundant, and are to be found wherever a statement requires to be confirmed by an authority, original text, or monograph. Secondly, there are *excursus* for the discussion of controverted points (the earls of the Norman period; local justice under the Norman kings; the Hereward legend; Normandy before the Conquest; Cumberland and Scotland, 1092-1154; the Bull *Laudabiliter*; criminous clerks). Thirdly, the bibliography takes the form of alphabetical lists with short comments (*a*) of sources, (*b*) of general works of reference. Footnotes are less frequently to be met with in Mr. Tout's book. There are no *excursus*; in the place of a bibliography we find an appendix 'On Authorities' (pp. 443-464), which may be likened to a detached chapter of a condensed treatise on the sources for the history of England. This plan seems to me to be less satisfactory than the other; for, to begin with, it is surely a prejudice (probably German by origin) to hold that footnotes should be reduced to a minimum, not to say *nil*, in a work destined for the general reader; they should be limited, indeed, to what is indispensable, but this is not the same thing. Then the arrangement of the bibliographical information in the form of a dissertation 'On Authorities' is less convenient to the reader than the other, because it is inevitably less clear, not being alphabetical and occupying more space.

If I have laid stress on the differences of external arrangement displayed in these two books, it is because I find it more difficult to decide between the respective merits of the writers. Both volumes appear to me to be excellent, very well informed, and readable. Both the one and the other do the highest credit to the English school of history.

I have, however, compared with some care the parallel narratives, and have naturally chosen the reign of Henry III, as the only one treated in both works and on an equal scale.¹ These two independent versions of the same events agree almost completely, thus showing that historical knowledge has here reached definite conclusions, and that our authors are abreast with it. The accounts differ, as is natural, in the choice of details (it is by their art in selecting the details to be noticed that good popularisers of history are to be known from bad) and in the manner of exposition.

Two examples will give some idea of the treatment adopted by these two authors, who, by chance, it may be said, have had to deal at the same time with the same subjects under similar conditions. One must be curious *a priori* to know how they have introduced to the ordinary reader the personality of Robert Grossetête, surely one of the most striking figures of the thirteenth century in England. Mr. Tout's index under the heading 'Grosseteste' refers to no less than ten pages in his volume. But an examination shows that the larger number of these references are

¹ Tout, pp. 1-185; Davis, pp. 390-516. Abbot Gasquet's monograph *Henry III and the Church*, published in 1905, appeared too late to be known to either of our authors.

to passages where the bishop of Lincoln is merely named. His rôle at the council of Lyons in 1245 is summed up as follows: 'Grosseteste, the chief English prelate to attend the gathering, was drawn in conflicting directions by his zeal for pope against emperor and by his dislike of curialist exactions' (p. 67). Further on, in 1250,

Grosseteste again met Innocent face to face at Lyons, and urged him to 'put to flight the evils and purge the abominations' which the Roman see had done so much to foster. But this outspoken declaration was equally without result. Bold as were Grosseteste's words he fully accepted the curialist theory which regarded the pope as the universal bishop, the divinely appointed source of all ecclesiastical jurisdiction. He could, therefore, do no more than protest (*ibid.*)

We learn (p. 81) that 'Bishop Grosseteste was removed by death;' and it is said (p. 87) that 'the strongest and holiest of the bishops, Grosseteste, became the most active friend' of the friars. Again, on p. 90 the essential characteristic of his literary position in Paris and at Oxford is described as follows:

A clear and independent thinker, he was not, like so many of his contemporaries, overborne by the weight of authority, but appealed to observation and experience in terms which make him the precursor of Roger Bacon.

All this is irreproachable indeed. But it is scattered and perhaps a little dry. In Mr. Davis's book Grossetête is named not less often, and his index, we may note in passing, has the merit of clearly indicating in each case the connexion in which each name occurs. But Mr. Davis has gathered together the chief features of the great man's career in a few consecutive pages (pp. 426-30), which, full and substantial, leave a complete impression.

Let us now compare what Messrs. Tout and Davis say of an event, or rather of a particular document and of the events which immediately resulted from it, the Mise of Lewes. Mr. Tout writes (pp. 119, 121)—

Henry III accepted the terms imposed upon him by Montfort in a treaty called the 'Mise of Lewes,' by which he promised to uphold the Great Charter, the Charter of the Forests, and the Provisions of Oxford. A body of arbitrators was constituted, in which the bishop of London was the only Englishman, but which included Montfort's friend, Archbishop Eudes Rigaud, of Rouen; the new papal legate, Guy Foulquois, cardinal-bishop of Sabina; and Peter the chamberlain, Louis IX's most trusted councillor, with the duke of Burgundy or Charles of Anjou to act as umpire. These arbitrators were, however, to be sworn to choose none save English councillors, and Henry took oath to follow the advice of his native-born council in all matters of state. An amnesty was secured to Leicester and Gloucester; and Edward and Henry of Almaine surrendered as hostages for the good behaviour of the marchers, who still remained under arms. . . .

The papal legate, Guy Foulquois, was waiting at Boulogne for admission into England, and, far from being conciliated by his appointment as an arbitrator, was dexterously striving to make the arbitration ineffective, by summoning the bishops adhering to Montfort to appear before him, and sending them back with orders to excommunicate Earl Simon.

Mr. Davis's account is as follows (p. 465):—

The Mise of Lewes, known to us only through epitomes, deserves a careful study; for it shows at once the avowed intentions of the earl and the secret

hopes of his opponents. The beaten party negotiated better than they fought. They seemed to give up everything which was demanded, but in reality they laid a trap from which the earl was only to escape with considerable damage to his reputation.

Montfort's demands were moderate and almost conservative. The reforms on which he insisted were expressed or implied in the Provisions of 1258. He stipulated that the king's council should be selected by a board of arbitrators and exclusively composed of Englishmen; that the king's expenses should be regulated by the council until his debts were discharged; that the council should guide the king in the appointment of ministers and the execution of justice; that the charters should be inviolably observed. All other questions than these the earl consented to leave in the hands of the arbitrators. The duties of the latter were, therefore, of the first importance. But the earl allowed the board to be so constituted that it could scarcely fail to support the crown against the popular party. Two alternative schemes were proposed in the *Mise*. According to the first the duty of arbitration was vested in a committee composed of two ecclesiastics, the archbishop of Rouen and the bishop of London, and of two laymen, Hugh the Despenser and Peter le Chamberleyn.* If these four were equally divided on any question the casting vote of the legate, Guy Foulquois, was to be invited. Should this committee fail to consult the legate in such cases their proceedings were to be altogether null and void, and their work was to devolve upon a committee of five French nobles, chosen with the approval of Louis IX.

The appointment of Guy Foulquois as a referee doomed the *Mise* to failure. The royalists knew, and Simon apparently did not, that the instructions which Urban IV had transmitted to his legate were marked by a strong dislike to the party of the Provisions. A few weeks later, having received fuller information on this head, the earl forbade Foulquois to enter England. Consequently the legate could not act as referee: the original committee of arbitrators became useless. Some attempts were made to form the alternative committee of French nobles, and we possess a letter from Henry III in which he urges the earl to arrange with Louis IX a preliminary conference for this purpose. The king knew that such a committee would be favourable to his party. . . . A new board was constituted of two French and two English members, with the archbishop of Rouen as a fifth to give a casting vote where the opinions of the four were equally divided. But even so the earl was dissatisfied. He did not rely on the new board as he had relied upon the old. . . . Hence the indefinite postponement of the arbitration; the royal party pressed for it, but the earl on one plea or another refused to gratify them. Meanwhile he took the law into his own hands and framed another scheme of settlement, which, although possessing many merits, was in no sense warranted by the agreement made at Lewes. For the second time Montfort found himself constrained, in the interest of his cause, to repay duplicity in kind.

A comparison of these passages with each other and with the original documents will no doubt be found instructive by any one who will undertake the examination. It will appear that the two versions (which in this case by an exception do not exactly agree) are not, either one or the other, without slight inaccuracies; and this is because both historians have sought more or less to abridge, and there is no labour more fertile in

* This refers to 'Monseigneur Pierre li Chambellans,' the faithful servant of Louis IX. But he is scarcely to be recognised at first sight under this Anglo-Norman form of his title. He is nowhere else mentioned by Mr. Davis, and his name is even absent from the index. Another French name is disguised on p. 487: Beaumanoir, the juriconsult, was not called 'Philippe de Reimes,' but 'Philippe de Remi.'

error than that which consists in curtailing and summarising obscure and complicated facts, such as could scarcely be correctly expounded unless one had leisure to recount and discuss every known attendant circumstance. As distinguished from the scholar who writes for scholars, the populariser of history is continually under the pressure of the terrible necessity for abridging—that is to say, for disfiguring, in many cases for maiming. Writers of history for ‘the general reader’ sometimes replace what they are obliged to sacrifice by considerations and reflexions of their own, flowers of speech, and the like. We are glad to say that Mr. Tout and Mr. Davis are absolutely exempt from these weaknesses. Both have the essential merit of writing with reserve and simplicity. CH.-V. LANGLOIS.

The Economic Development of a Norfolk Manor, 1086–1565.

By FRANCES G. DAVENPORT. (Cambridge: University Press. 1906.)

MISS DAVENPORT'S study on the Norfolk manor of Fornsett is a valuable contribution to the economic history of England. It is a monograph in the strict sense of the word; it deals with material supplied by one locality and follows closely the lines of existing evidence. The importance of such studies cannot be contested; when carried on extensively and in a careful manner they pave the way for the general constructions of the social historian. Their relative value will depend mainly on three conditions—on the character of the material itself, on the care with which it has been examined, and on the way in which the larger aspects of the problem, as illustrated by kindred evidence, have been understood and made use of for the purpose at hand.

The most interesting parts of the evidence at Miss Davenport's disposal were, besides the Domesday entry from which the monograph starts, very full sets of domanial accounts for the periods from 1270 to 1807, 1876 to 1878, 1400, and 1409 to 1410, a detailed survey of 1565, and some court rolls of the fourteenth and fifteenth centuries. The peculiarities of the material are reflected in the results. The best features of the book are the description of the husbandry of the demesne, for which the ministers' accounts furnish invaluable data, and the topographical concreteness obtained by the reconstitution of the map of settlements and fields by the help of the 1565 survey. Less complete, although very suggestive, are the facts relating to the condition of the tenants' holdings. Hardly any light is thrown on the organisation and customs of champion farming, and not much can be gathered as to the legal features of manorial life in the earlier period; the court rolls are too fragmentary and too barren in these respects. The only point as to which I have to offer any remark on this side of the inquiry is the rather exaggerated importance attached to the scattering of the homesteads of the *liberi homines* in contrast with the village settlements of the bondmen. An inspection of the rounds and squares employed by Miss Davenport to designate servile and free messuages hardly justifies the assumption of a marked contrast in their disposition, and in any case there is a great difference between the disposition of dwellings and the scattering or concentration of plots in the fields. The care with which the author has done her work is worthy of all praise. She

is especially anxious to quote chapter and verse for every statement, and has spared no pains in utilising the most minute indications as to the economic phenomena reflected in her records; her calculations and tables are correct to a fraction. This accuracy of inquiry bears fruit in a series of results with which every student of economic history will have to reckon. The balance of income and expenditure on a great nobleman's estate in the thirteenth century, the exact proportions in the employment of hired labour, the yield of different crops, the requirements of home consumption and of production for the market, the growth of *terra solidata* (*solidata*), the break up of the manorial arrangement, and the passage to the system of short leases—all these and many similar points are illustrated in a concrete and complete manner.

The writer is not so safe a guide in regard to the social and legal side of the inquiry, and this is due partly to her insufficient use of the help to be obtained from comparison with kindred cases. Although many interesting facts are brought to light in this direction, the treatment of questions of tenure and status is not clear, and some of the explanations are doubtful. The estates selected by Miss Davenport present striking examples of the East Anglian type of development; they are distinguished by the large number of small freemen in various degrees of manorial dependence. The elements of what I have elsewhere called customary freehold are strongly represented: free tenants, free sokemen, and bond sokemen are traceable as distinct groups. The most numerous of these are the bond sokemen, tenants free from week work and subjected only to a few boon ploughings in the course of the year, besides some carting and other minor services. Miss Davenport explains the condition of this central group by the fact that on some of the Domesday holdings of *liberi tenentes* and sokemen there were under-tenants—*bordarii* and villains. These under-tenants would appear as occasional helpers in the economic arrangement of the manor (p. 12). Not to speak of the inherent improbability of this suggestion, which would place the bondmen of a direct tenant in a kind of privileged position in comparison with this tenant himself and his fellows, it would be contradicted by everything we know about sokemen's tenure in a legal and manorial sense. Its origin is the *soke*, the jurisdictional franchise; its essence in the feudal period is certainty of condition, while the element of bondage in the case is supplied by the rustic work, which, though slight, implies subjection to personal discipline. The typical bond socman or villain socman is, as we know from Bracton, the villain of ancient demesne. But the case of Forncett and other similar instances show that the term was in use in private manors for the freer elements of the village population, the exemption from weekwork being not a chance incident but a consequence of the better condition.

The facts as to the five-acre tenure are very interesting, but hardly enough is made of them in their evident connexion with the Domesday tenure of the *bordarii*. One of the remarkable points of the Domesday description of Forncett is the scarcity of *villani* and the predominance of *bordarii* among the servile class of the T. R. W. manor. Now the distinction between the *villanus* and the *bordarius* in Domesday depends to a great extent on the size of the holding; the first is, as a

rule, a considerable tenant, and when the size of his holding is given it seldom falls below a bovate. The *bordarii* are invariably smaller and five-acre holdings were frequent in their case, as is especially shown by the survey of Middlesex and the 'Inquisitio Eliensis.' Miss Davenport does not attempt to reconstruct the symmetrical holdings of the earlier period; her calculations as to the average small size of the Forncett tenements are all based on later figures belonging to a time when the original units had been broken up and frittered away, whereas in earlier records the five-acre tenure at any rate appeared as a whole unit and as divided into halves.

As to chevage (*capitagium*) we have to distinguish between poll taxes and common fines imposed on the whole bond population of manors and individual payments made by those who had left the manor. This is brought out very clearly in some court rolls, e.g. those of Ramsey manors. I may be allowed to quote from an unpublished one of Upwood: ¹ 'De toto homagio de communi fine de capitagio . . . ne custumarii vocentur per capita—6s. 8d. De W. F. nativo domini de fine pro cheuagio per annum 6d. Et venit (veniat?) ad letam.' The 'Hadesco' mentioned in the inquisition *post mortem* of 54 Hen. III² was probably a 'headscot,' corresponding to the first category of payments, nor does it seem necessary to argue that *anelepimen* of Forncett were 'extra manerium' (p. 46).

Before leaving the subject I may be allowed to enter a protest against a construction of the ploughland unit which Miss Davenport attributes to me. I have not urged that the average quantity of acres reckoned in the Domesday Survey to the *plough team* was 120. What I said was that land fit to be cultivated as arable (*terra carucis*) was probably reckoned on the average of 120 acres to the plough.³ The number of actual ploughlands as taken up by teams (*carucae*) was very often in excess of the average of 120 acres per team, which means, of course, that the actual ploughlands were smaller, and Forncett supplies us with an instance of such 'overstocking.' As for the term *terra carucis* it does not occur in the entry at all; no estimate is made of the possible cultivation according to an average.

P. VINOGRADOFF.

The Great Roll of the Pipe for the Twenty-third Year of the Reign of King Henry II. ('Publications of the Pipe Roll Society,' Vol. XXV.) (London: Spottiswoode. 1905.)

THIS is the second volume issued by the revived Pipe Roll Society, and its appearance happily marks the continued activity of that valuable body. In general nature and content this record does not differ very materially from its immediate predecessor, to which we called attention last year. The dominant note is again the triumph of the king, or rather of the system of royal administration over the reactionary forces that had been defeated in 1174. This is apparent, partly in the adjustment of outstanding claims and difficulties that had arisen out of the civil war, and partly in the stricter and more efficient application of the

¹ Record Office, Court Rolls, Henry IV, 179/59.

² Miss Davenport, p. 87 n.

³ *Growth of the Manor*, pp. 157, 158, 254.

king's legislation old and new. Mr. Round in a short but valuable preface has indicated the chief points of general interest contained in the record. As usual Mr. Round has gathered the harvest and reaped the corners of the field, and those who glean after him must be content with a slender sheaf. There are, however, two or three points of a somewhat specialised interest to which attention may be drawn. One of these has been already dealt with in this Review.¹ But before going on to the others it will be desirable to mention very briefly the chief points in this roll as collected by Mr. Round. The king's triumph is marked partly by the re-establishment of his authority over the kingdom and partly by a great increase in the revenue which he managed to derive from it. The first of these points is illustrated by the destruction of certain castles which had been held by the rebels and the reinforcement of others which had supported the royalists. The second appears in the record of numerous and heavy fines for forest offences, of aids from boroughs and vills, and of large profits of jurisdiction accruing from the application of the new assizes, from the sums paid for leave to make final concords, and from the king's transactions with the Jews. The outlays, on the other hand, show Henry's activity in building, his household expenses, and those incurred in connexion with the reception and despatch of ambassadors, and with the occupation of Ireland.

Turning to smaller points we notice that some twenty people had been fined in Cambridge for what appears to have been unlicensed traffic on the Cam.

de iij. m. de misericordia Hildebrandi de Cantebrigia quia duxit bladum per aquam sine licentia iusticiarum (p. 188).

The names of a number of others follow who had incurred fines for the same offence. But, as several of these are remitted by writ to the bishop of Ely, we may suppose the culprits to have been his men, and in that case the traffic would surely have been on the Cam between Cambridge and Ely. All this perhaps points to some special protection for the great Cambridge fairs.

The parts of this roll relating to Northumberland, Cumberland, and Westmorland have already been printed in vol. iii. of Hodgson's *Northumberland*, and in the useful volume of *Pipe Rolls for the Counties of Cumberland, &c.*, published in 1847 by the Society of Antiquaries of Newcastle-upon-Tyne. Both these works recognised the importance and the difficulty of the questions arising in connexion with the ancient tenures of thegns and drengs, whose survival is recorded in these counties. The present document affords us some further evidence for Lancashire (p. 80), and—what is still more interesting—for the honour of Richmond, where the *servitium drengorum* is entered along with the farms of the manors. This whole matter needs thorough investigation.

Those curious in the antiquities of the law will find in this roll a number of interesting details about approvers. The system by which 'a convicted criminal for the sake of obtaining his pardon would agree to rid the world of some half-dozen of his associates by his appeals' was one which the administration must have found at once more costly and

¹ *Ante*, xxi. 509.

more cumbrous than would at first appear. A number of appeals—five or six were not infrequent²—would involve a considerable delay in the production of the appellees and so on. During this period, it would seem, the approver was supported by the crown and apparently put under the charge of a 'master.' There was further an officer called *summator* (apparently for *summonitor*; the papal term would scarcely occur in English legal usage), whose business seems to have been to produce the approver when wanted. During the delay in the case clothing and arms were provided for the approver, and when it was necessary to transport him—as in one case from Lincoln to London—it was again at the charge of the crown.³ Finally there is one grim entry—but this is in an earlier roll, anno 22—which shows another way in which the approver was a source of expense to the crown.

In liberatione Roberti Wicok probatoris et eo suspendendo, xii. s. et viii. d. (p. 198).

Many other matters of this sort may be illustrated from the present roll, which forms a very welcome and valuable contribution to the printed material for the period.

GAILLARD THOMAS LAPSLEY.

Calendar of the Justiciary Rolls of Proceedings in the Court of the Justiciar of Ireland, Preserved in the Public Record Office of Ireland, XXIII to XXXI Years of Edward I. Edited by JAMES MILLS. (Dublin: Printed for H.M. Stationery Office. 1905.)

THIS calendar is the first of a series intended to replace the unsatisfactory manuscript calendar in twenty folio volumes which has hitherto been the only guide to the contents of the rolls of early judicial proceedings formerly preserved in the treasury of the Irish exchequer. The work has been begun with the proceedings before the court of the chief justiciar of Ireland, the highest court in Ireland, which held pleas of the crown begun by writ or by bill, revised the proceedings of the bench, the exchequer, the justices in eyre, and the local courts, and occasionally also registered the orders and decisions of the council; it was the Irish equivalent of the English court of the king in council, to which, however, its own decisions were subject. An eyre roll is also included because it happened to be held before the chief justiciar. The rolls are those for the years 23–31 Edward I, but there are several breaks in their continuity. The calendar is of the first importance not only for the history of Ireland but for the history of English law. We come, for instance, upon the remarkable statement in a royal writ dated 1800 that the king's court in England denied to widow and children any 'legitimate part' in the testator's chattels. The king required to be certified that this rule held by the 'law and custom of Ireland,' and the council of the king in Ireland unanimously recorded the custom. This evidence that the English common law had rejected the rule of legitimacy is unexpectedly early. On the subject of intestacy, too, and the claims of the court Christian, the calendar has a good deal to say.

An archbishop having neglected to make his claim upon land alienated

² Cf. *Select Pleas of the Crown* (ed. Maitland, Selden Soc.), i. pl. 140, 190.

³ See pp. 51, 106, 144, 174, 198.

by a fine within the year and day, pleaded that, his church being always in the position of a minor, his right was not prejudiced by the lapse of time. His opponents urged that the church provided with a pastor can plead and be impleaded. In 1802 a clerk convicted of homicide was given over to the keeper of the archbishop of Dublin's prison, and was released, as alleged, 'without due purgation.' The defence was that proclamation was made, summoning any who wished to oppose the felon's 'purgation' to show cause: as no one appeared the purgation was allowed, 'as usual in the churches of Ireland from time beyond memory.' On another occasion it was pleaded that time of legal memory does not run in Connaught, the conquest of Connaught having occurred in the time of John. An averment 'on the oath of pleaders and attorneys then being in the bench,' claimed on one occasion, was ordered on another, 'Let the truth be inquired by men of the court.' One Thomas who had given letters patent promising 40*l.* to marry a certain Alice, pleaded that he was under eighteen at the time and not bound by his deed. It was counterpleaded that he was a burgess and ought to be subject to the 'custom merchant,' which is such that sons of burgesses, according to the merchant law, can contract at fourteen. The court held that the contract did not belong to the *forum mercatorium*, and that Thomas was not bound. The numerous charges of bribery and fraud of every kind against sheriffs and other high officials will be found tabulated in the elaborate subject-index which has been provided. One curious accusation against a town bailiff was that he prevented the arrest of certain malefactors by giving them the kiss of peace. The calendar yields many passages which throw light on the condition of the monasteries. The abbot of Rosglas, charged with receiving Irish felons of Offaly in his abbey, pleaded that his house was situated in the march outside the land of peace. The abbot of Mellifont, as chief visitor of the Cistercian houses, was required to maintain a supply of English monks in every one of his houses equal to half the total number of the convent, because dispersion of property was found to occur where convents were under the control of Irish monks. The educational purpose of nunneries is admitted in the statement of jurors who gave verdict in favour of the founding of a nunnery 'to the convenience and utility of the country,' 'for there is no other house of nuns where knights and other freemen in those parts may have their daughters brought up and maintained.'

The calendar is specially valuable for the illustrations it gives of the precise nature of the legal position of the *Hibernici*. Again, we need do no more than refer readers to the subject-index, which carefully tabulates all the material information. A grant of the 'king's service' in aid of rebuilding a fortalice to be used against the Irish is an interesting example of the revival of the 'burhbot' in a special form. Castle officials who took victuals, hay, and oats for their horses, 'as others commonly did in time of disturbances against the will of the men of the country,' appear to have been acquitted on the charge of robbery. Perhaps we should argue, from the fact that an accusation of robbery was brought, that the 'land of peace' was not in so lamentable a state of disorder as, after perusal of a calendar of criminal records, one might be disposed to assume. There is much in this volume that deserves to be compared

with the newly published volume of *State Trials of Edward I*, 1289-98, issued by the Royal Historical Society, for in a large number of cases it is officials who are attacked.

MARY BATESON.¹

Urkundenbuch der Reichsstadt Frankfurt. Herausgegeben von J. F. BÖHMER. Neubearbeitung von FRIEDRICH LAU. Band II. 1814-1840. (Frankfurt am Main : Baer. 1905.)

Beiträge zur Wirtschafts- und Sozialgeschichte der Reichsstadt Frankfurt. Von Dr. FRIEDRICH BOTHE. (Leipzig : Duncker und Humblot. 1906.)

DR. JOHANN FRIEDRICH BÖHMER's great *Codex Diplomaticus Moenofrancofortanus*, issued in 1836, has been greatly enlarged and re-edited, at the expense of the Böhmer bequest. The form of publication which has been adopted resembles that of 1836, but the number of records included has been multiplied fourfold. Although the town archives of Frankfort-on-the-Main have yielded the largest number of records, many other collections have been drawn upon. The records are arranged in chronological order, so that public and private documents, imperial rescripts, papal bulls, ecclesiastical and municipal records, conveyances, wills, official letters follow one upon another, making a table of contents necessary. There is an index of persons and places, but no other clue to the contents of this volume of 648 quarto pages. The only portion of the collection which has been given a separate place is the book of obligations, begun in 1328, to record all the debts officially enrolled; like the English 'statute merchant' or 'contract of record,' and the French *titre paré*, and the Italian *instrumenta guarentigiata*, the German *Insatz* gave the creditor power to distrain without further process or delay when the term of the loan had expired. German was the official language from 1320. The editorial work upon this volume has been extraordinarily careful and minute. Each document has a palaeographical description and reference to the collection to which it belongs, as also, where necessary, a reference to printed works in which it has already appeared.

Dr. Bothe's study of the municipal accounts of Frankfort deals mainly with the sixteenth century, and is partly preparatory and partly supplementary to a forthcoming work on the development of direct taxation in this town. It is based entirely upon the archives, and justificatory passages are given in full in the appendices. So careful and elaborate an analysis of municipal sources of receipt and expenditure has never been devoted to any English town, and, as we undoubtedly have the materials in abundance, it were to be wished that we could compare Dr. Bothe's results with the contemporary English material. The Frankfort statistics of population in the fourteenth and fifteenth centuries have been made, through the work of Karl Bücher, the theme of much discussion. Dr. Bothe analyses the statistics of the sixteenth century and comes to the conclusion that, except during the season of the fair, the place had comparatively small commercial importance. Strasburg, Cologne, Lübeck stood far ahead in 1577, when Frankfort was threatened with municipal bankruptcy. A population of about 9,000 in the middle

¹ This review was not revised by the author.—Ed. E.H.R.

of the fifteenth century had doubled at the beginning of the seventeenth. The growth of the Jewish population and property is made the subject of special tables.

MARY BATESON.

The Great Revolt of 1881. By CHARLES OMAN, M.A.

(Oxford: Clarendon Press. 1906.)

THERE is food for reflexion in the fact that so obvious a subject for a monograph as the revolt of 1881 should have had to wait so long for its historian, and that but for the untimely death of a young French scholar the honour of writing it would have gone from this country. The last ten years have seen an immense addition to the printed materials for such a study, made accessible by Messrs. E. Powell and G. M. Trevelyan, and above all M. Réville and his editor, M. Petit-Dutaillis. Professor Oman has also had at his disposal a great mass of Réville's transcripts which still remain unprinted, and gives among his appendices two hitherto unpublished documents as the result of his own 'inquiries into the poll-tax documents at the Record Office.' He seems to have overlooked, however, the evidence contained in the printed calendars of the patent rolls, a reference to which would have saved him from a misapprehension into which he falls in the introductory chapter on the predisposing causes of the revolt. It is there suggested that the exemplifications of Domesday obtained by villeins in different parts of the country were secured as 'proofs that in particular manors there were in 1085 free men and socmen where in 1877 villeins were to be found, so that some lord in the intervening three centuries must have advanced his power to the detriment of the ancient rights of the inhabitants of the place.' If this had been so most of those who are recorded on the patent rolls as obtaining these exemplifications must have been bitterly disappointed, for nearly all are cases of manors in which there were none but villeins at the date of Domesday. A more probable hypothesis would be that the applicants relied on the absence of any express mention of their services in that record.

Acute as were the grievances of various classes in 1881 it is generally agreed that they would not have come to a head in a wide-spread rebellion had it not been for the heavy poll tax of November 1880, the extensive evasions of it, and, to crown all, the appointment of commissioners, armed with large authority and power of imprisonment, on 16 March 1881 to ascertain the number of persons actually liable who had not paid the tax and enforce payment. Mr. Oman, indeed, seems to see in this writ of 16 March (which he prints at length in an appendix) something more provocative than was realised by his predecessors, and writes as if it threatened the townships and their officers with pains and penalties for the fraud perpetrated upon the government. As a matter of fact the writ threatens none but those who impede the commissioners in getting in the tax from those who had evaded it, and though, of course, the constables of the townships must have been parties to the falsification of the first returns the guilt is put, and justly put, on the shoulders of the assessors and collectors.

What is new and interesting in Mr. Oman's account of the poll-tax and its effects is the demonstration of its unequal incidence and the ex-

planation offered of the way in which the original returns were falsified. We will deal with the former point first. Keeping in mind that from each township a sum equal to a shilling per head of its adult inhabitants over fifteen was to be raised, but that, as far as was consistent with this, graduation was allowed between the richer and poorer members of the community, it is obvious that of two villages with the same or nearly the same population the one which had an esquire and a number of well-to-do freeholders and farmers saw its poor members escape more easily than the one in which there were no great inequalities of wealth. Coupled with the heavy nature of the impost, which was three times as high as previous poll taxes, this inequitable incidence was sufficient to create a wide-spread desire to evade it. How was this effected? More than one explanation has been adventured to account for the large discrepancy between the population of the county as returned by the collectors of 1881 and that returned by those of 1877. Mr. Powell suggested that thousands of the inhabitants of the towns and villages left their homes and took to the woods and wastes; but the writ of 16 March distinctly asserts fraud and negligence on the part of the collectors, and Mr. Oman draws attention to the large proportion of men as compared with women in most of the detailed returns extant, and the predominance of married couples as pointing to the wholesale omission of the younger unmarried members of families, especially the female members. Curiously enough the actual figures returned by the collectors have never, so far as we know, been published, except for two counties, although for many of the shires they are given in the so-called 'views of account' preserved in the Record Office. Mr. Powell was content to print the figures for the whole country, ultimately enrolled in the lord treasurer's remembrancer's accounts, which incorporate the revisions effected by the commissioners appointed on 16 March. For comparison with these he printed in a parallel column the figures returned by the poll tax collectors of 1877; but in the case of Norfolk and Suffolk, with which he was mainly concerned, he also gave the population first returned by the collectors in 1881, and the numbers are significant. While in 1877 the population of these two counties over fourteen years of age was stated to be 160,852, the first returns of 1881 made those over fifteen only 96,486, and even on revision this was only raised to 119,808. Mr. Oman, unfortunately, regards the figures on the L.T.R. accounts as those first given in by the collectors, and thus loses a chance of making the evidence of fraud still more convincing. If a fall in the population from the 1,855,201 of 1877 to the 896,481 (the revised figures) of 1881 is 'monstrous and incredible' how much more the greater fall which was apparently revealed by the first returns of the latter year. Mr. Oman seems to assume that the revision was not carried very far, but, as he quotes the double figures for Norfolk and Suffolk from Mr. Powell, who distinctly asserts the existence of similar double estimates in the case of other counties, he should not have fallen into this mistake even if the presence of the revised figures for the two counties just mentioned in what he regards as a summary of the commissioners' original returns had not served as a warning.

In Appendix II. the enrolled figures for 1877 and 1881 are printed in parallel columns, with a reference to the original accounts. A comparison

of them with Mr. Powell's reproduction of the same documents leaves us in much perplexity. Mr. Oman's total for the lay population of England over fourteen years of age in 1877 is 1,855,201, which exactly tallies with Mr. Powell's, and the discrepancy of thirty between his 896,481 and the earlier writer's 896,451 for the lay population over fifteen in 1881 may be due to a printer's error. On the other hand the figures for the various counties and towns in 1877 given by Mr. Oman add up only to 1,854,419, and those of 1881 to 896,867. Two instances of the discrepancies involved may suffice. Mr. Oman gives the population of Hereford in 1877 as 1,408, Mr. Powell as 1,908; in the list of 1881 the former omits Penrith altogether. Mr. Powell's totals are a correct addition of his details; if his details are wrong then Mr. Oman's totals are wrong. In the separate figures for the clerical population there is an even larger discrepancy, but here it is in the totals, the details being identical. Mr. Powell adds them up quite correctly to 27,885, but Mr. Oman arrives at the mysterious total of 20,676. We have dwelt at what may appear disproportionate length upon his treatment of the poll tax returns because it is here that he specially lays claim to originality. What is valuable in his suggestions is not materially affected by the inaccuracies pointed out above, but we rise from the examination with a somewhat shaken confidence in the scientific exactitude of his methods of research.

The narrative of the rebellion itself can be more unreservedly commended. It is full, well digested, and spirited. But even here we must not look for pedantic accuracy in details. Richard Imworth, the warden of the Marshalsea, for instance, always appears as John Imworth, an error of the 'Anominalle Chronicle,' first printed in this Review in 1898, and Ralph Standish the Lancashire esquire who gave the *coup de grâce* to Wat Tyler as John Standwyche—Froissart's form—or even Standwick. On one or two disputable points Mr. Oman takes a view which may be right but does not quite convince us. The story of the blacksmith of Dartford who slew the tax-collector, which is rejected, is only found, it is true, in Stow. But it should have been mentioned that that careful annalist gives as his authority a St. Albans manuscript apparently now lost. The discovery of the 'Anominalle Chronicle' confirmed a good many of his statements, for which until then no earlier authority was known, and the same may yet happen in this case. For the Essex extraction of Wat Tyler, which Mr. Oman favours, there is some evidence not to be lightly set aside, and if a Maidstone document really calls him 'Walter Tyler of Colchester' the correctness of the statement, in the usually well-informed chronicle just alluded to, that he belonged to Maidstone itself would be seriously challenged. But, as no reference is given for the document in question, we must reserve judgment. It is possible to agree more unreservedly with Mr. Oman in his rejection of Dr. Brie's ingenious but not very convincing identification of Walter Tyler and Jack Straw.

The translation of what is here strangely called the '*Anominalle Chronicle*,' which forms Appendix V., is occasionally a little loose. When the Gravesend people sought to protect a man whom Sir Simon Burley claimed as his serf the chronicler remarks, *par quoy le dit sir Symonde fust mult curruce et irrouis*. To translate, 'but the said Sir Simon was of an irritable and angry temper,' is to import into his words

more than they will bear. A picturesque touch in the description of the riotous entry into Canterbury Cathedral is effaced by turning *la meire eglise de saint Thomas* into 'the minster.' In two cases several words have not been translated at all. We may suggest in conclusion that the corrupt passage *gentz a que est maugres del parte le West* conceals the word 'questmongers.'

JAMES TAIT.

Lectures on Modern History. By the late Right Honourable JOHN EDWARD EMERICH, FIRST BARON ACTON, Regius Professor of History in the University of Cambridge. Edited by J. N. FIGGIS, M.A., and R. VERE LAWRENCE, M.A. (London: Macmillan. 1906.)

LORD ACTON died in possession of so vast a heritage of unfulfilled renown that no posthumous work, even though it rivalled in merit his kinsman Gibbon's immortal history, could surpass the expectation of his admirers.

To be with Acton (writes one of them as quoted in the introduction to this volume) was like being with the cultivated mind of Europe incarnate in its finest characteristics. In the deep tones of his voice there seemed to sound the accents of history. In those unflinching phrases we heard the impersonal estimate of posterity weighing in unerring balance the thoughts and deeds of the actors of the present or past with a knowledge that knew no gap.

But, though it is to be feared that they who were in the habit of hearing European civilisation and history speaking from the lips of Lord Acton may look for more than they will find in these lectures, those who had not that privilege will judge them to be admirably adapted for the purpose with which they were written. They could hardly fail to awake in their audience an interest in the intelligent study of history, not as a chronicle of isolated facts but as the record of the enfranchisement of humanity, of gradual progress 'in the direction of organised and assured freedom.' For liberty, the recognition of the right of the individual to be guided by his conscience and freely to determine his relations both to God and man, restraint of 'the passion for power over others,' respect in political life for the rights of minorities, and in social life for the claims of the weak and suffering, these are, so Lord Acton teaches, the things the attainment of which constitutes the goal towards which mankind has painfully struggled. 'We have no thread through the enormous intricacy and complexity of modern politics except the idea of progress towards more perfect and assured freedom and the divine rights of free men.' Three hundred years of European history are covered in these nineteen lectures, masterpieces of lucid statement, of suggestive and stimulating criticism. Everywhere, whether the lecturer be sketching the salient features of the sixteenth century or of the eighteenth, whether he be dealing with Italy or America, we feel the sureness of touch of one who is familiar with every detail. Although we may often not agree with his trenchant judgments, with his paradoxes, or even with his interpretation of the teaching of history, we are made to feel that his ample knowledge would never have been at a loss for weighty arguments in answer to every objection.

The picturesque touches, the allusions, the startling patches of colour-

which served to arrest the attention of his audience, like the impressionism of the skilled draughtsman, a Turner or a Whistler, were based on study and on a perfect mastery of his subject, and are no device to conceal slovenly workmanship or to win applause from the ignorant. It is remarkable that an historian of such marked individuality, so pronounced in his opinions, so uncompromising in his judgment of men and causes, should have believed it possible that an author could divest himself of his personality, so that 'nothing should reveal the country, the religion, or the party to which he belongs.' Addressing his audience as a teacher he probably did not think it necessary himself to aim at such colourless impartiality. Yet his birth and training enabled Lord Acton to write as a cosmopolitan, and it would not be easy from these lectures to conjecture to what church he belonged. Perhaps the reader would guess that he was a protestant, since he is on the side of liberty against authority; on the other hand it might be objected that he dislikes Calvinists and Puritans, that he suggests an apology for the revocation of the Edict of Nantes and a doubt whether James II can have been a sincere catholic, since he approved of a plot for assassinating his son-in-law. But the justification of the revocation may have been inspired by a desire to make out a good case for Lewis XIV, 'by far the ablest man born in modern times on the steps of a throne.' The refusal to believe that a man's actions may at times be inconsistent with beliefs nevertheless very sincerely held is the corollary of Lord Acton's determination 'not to make allowances,' to apply the same rigid canon of ethics at all times and in all places,—surely a very questionable course for the historian. It is true that 'too much explaining may end by too much excusing.' Treachery, murder, and perjury are at all seasons crimes, and should be held up to execration, but it is far more important that the principles, the doctrines by which such crimes are extenuated, by which men not utterly bad are induced to commit or condone them, should be exposed and condemned than that the culprits should be summarily sentenced. Nothing should be allowed to mitigate our detestation of the crime; but what becomes of justice if in judging the criminal no plea of extenuating circumstances is admitted?

Lord Acton does not much concern himself with 'the definition and comparison of systems,' and is perhaps too ready to believe 'those who are wrong to be very wrong indeed,' to think that their whole nature must be corrupted. So, for instance, he declines to accept Fra Paolo Sarpi as an authority, for 'a book has been attributed to him in which the use of poison is recommended to the Venetian government, and we cannot take our history out of Newgate.' If this indeed be so, if one offence against the moral code now accepted so discredits a witness, the evidence admissible at the bar of history is singularly limited. 'If,' says Lord Acton, 'in our uncertainty we must often err it may be sometimes better to risk excess in rigour than in indulgence, for then at least we do no injury by loss of principle. As Bayle has said, it is more probable that the secret motives of an indifferent action are bad than good.' He is, therefore, consistent when he calls (p. 218) the first whigs 'the most infamous of men,' or declares that George I deserved to be hanged for the murder of Königsmark (p. 267). But he is not always in such haste

to put on the black cap. He will not pronounce Mary Stuart guilty of Darnley's murder, because the evidence might not satisfy a jury trying a prisoner on a capital charge (p. 147). In this case he surely is over-scrupulous; an historical verdict may be found, reversed, and reconfirmed again and again: once hanged a man cannot again be brought to life. Was Charles I more liberal than his parliament? (p. 196.) Was the Triple Alliance 'totally ineffective'? (p. 210; but cf. p. 238.) Was William Penn 'the greatest historic figure of the age'? (p. 223), or Mazarin 'the ablest and most successful of ministers'? (p. 235.) Was it 'to assert the law of nature and divine right' that the American colonies rebelled? (p. 311.) Was Guizot—that talented Pecksniff—'a greater statesman than Walpole'? (p. 272.) These are a few of the many questions which 'the unflinching phrases' of the lecturer must have suggested to those of his hearers who knew something of history. Such dogmatic utterances are in their way stimulating even if, perhaps because, they provoke doubts as to the infallibility of the lecturer's judgment. The editors have thought it worth while to reprint the notes to the inaugural lecture, which illustrate in an interesting manner the solid substructure of excerpts on which Lord Acton built, and confirm our confidence that he advances nothing for which he could not give chapter and verse from somewhere, a confidence which may well inspire his critics with misgivings.

P. F. WILLETT.

Briefe an Desiderius Erasmus von Rotterdam.

Herausgegeben von L. K. ENTHOVEN. (Strassburg: Heitz. 1906.)

PROFESSOR ENTHOVEN prints here for the first time over 100 letters to Erasmus, from a volume of autographs belonging to the town library at Breslau. The codex contains altogether 166 letters, of which forty-two were printed either wholly or in part by Leclerc in the appendix to his volumes of Erasmus's *Epistolae*, 1703, and some twenty others in various publications which Professor Enthoven enumerates in his preface. A scanty account of the manuscript, with hasty abstracts of about half the letters, was given by Horawitz in his third and fourth *Erasmiana*, 1888 and 1885. These letters and others not noticed by him are now printed in full, together with collations and corrections of those already published elsewhere. The most important part of the work—the text—has been very carefully done. The editor's candour in presenting a facsimile of a letter in which he failed to decipher two easily legible words (they are correctly given, however, in the addenda), and where he has once gone astray (*tantum* for *tecum* in l. 6), does not at first inspire confidence; but a detailed examination of the text in several places reveals very few divergences from the originals, and these mostly of no great importance, though Leclerc's misreadings, *Einr* for *Eni* in no. 17, *Poly* for *Polus* (*Pol*?) in no. 103, are reproduced. But on the whole the reader may accept the text without misgivings. In other matters Professor Enthoven has been less successful. With two more letters from Botzheim in the codex he should have escaped the error into which the original collector (perhaps Rehdiger) fell, and after him Horawitz and Hartfelder (who printed the letter in the *Zeitschrift zur Geschichte des Oberrheins*, 1898), of attributing no. 20 to Menlishofer. The letter is an autograph by

Botzheim, and the postscript which has been so misleading supplies Erasmus with the name of the Constance physician from whose treatment he had so greatly benefited in the previous autumn, for 'honourable mention' in the *Catalogus Lucubrationum*, which was then in course of composition. In cases where year-dates are missing they have not always been supplied with precision. Thus nos. 5 and 14 must clearly be dated 1522 and 8 instead of 1521 and 2, the latter being the answer to Erasmus's letter 821 in Leclerc's appendix and being answered by 824. Again, no. 12 must be placed not earlier than 1526, because of the mention of the divorce; no. 74 in 1588; no. 107 in 1529; and one or two other dates assigned are probably incorrect. The notes and indices are useful; but in regard to the history of the codex and its formation Professor Enthoven tells us nothing, nor has he any suggestion to offer as to whether Leclerc ever had the codex in his hands, and if so why he gave some of the letters incomplete.

The letters printed here for the first time include many of considerable interest, notably those from Aldridge about his collation of Cambridge manuscripts of Seneca for Erasmus (Aldridge's symbols to distinguish the readings of the different manuscripts are not well reproduced), and from Hector Boyis or Boece of Aberdeen, neither of which is even mentioned by Horawitz. Professor Enthoven has done good service in making the collection accessible to students and with such a high degree of accuracy.

P. S. ALLEN.

A History of English Philanthropy. By B. KIRKMAN GRAY.
(London: P. S. King. 1906.)

MR. GRAY begins his history with the dissolution of the monasteries, because then modern social problems first begin to appear in a definite form, and also because before that date charity was undertaken for the good of the giver's soul quite as much as for the good of the receiver's body. He closes with the date of the first census, because the taking of the census marks the time when the state begins to supply definite and detailed knowledge of the social condition of the whole nation. His materials are chiefly drawn from the reports of the charity commissioners, but he also uses the reports of charitable societies and the biographies of philanthropists as well as the usual modern authorities. In digesting these materials for us and presenting them in a readable form Mr. Gray has rendered valuable assistance to the student of social history and to others interested in philanthropic work. On the whole the history is fair and accurate. Vaughan's account of the poverty of the Golden Valley and of the projection and failure of his plan of relief is exceptionally characteristic of philanthropic work in the seventeenth century. His description of the eighteenth century as the period of the guinea subscriber and of associated voluntary charities is at once true and happy, and so also are the amusing quotations with which he illustrates the complacency of subscribers to charities in the early part of the eighteenth century. We think, however, that Mr. Gray undervalues the extent of seventeenth-century charity. It is true he quotes the proverb, 'Executors be covetous and take what they can find,' but we do not think he realises how extensive were the losses to charity in consequence of the confusion and change of administrators

during the periods of the Civil War, Commonwealth, and Restoration. He does full justice to one characteristic of seventeenth-century philanthropy, namely, that of charity by individual givers, but less than justice to another, namely, charity by voluntary gifts under public management. This was the method of poor relief which preceded the poor law and was usual in many other efforts of the time to 'set the poor on work' and to relieve them of the effects of plague, pestilence, and famine. It was a plan that failed and never has been revived, because ever since it has been generally recognised that philanthropic efforts flourish most when the 'man that pays the piper' also 'calls the tune.' It is curious that Mr. Gray should treat Firmin's spinning school as the earliest effort of the kind. Even in the time of Elizabeth 'select women' were appointed in the city of Norwich to receive 'women, maydens, or children . . . to worke or learne letters,' and two years later we hear that nine hundred children so employed were earning sixpence a week. More serious still is the error involved in the statement that it was not until 'roads did come in reality under the activity of local government that they became other than a disgrace.' On the contrary most roads were under local government authorities until the middle of the eighteenth century, and their condition left much to be desired; when they came under private management, owing to the turnpike acts a great improvement was effected. These, however, are but blemishes on what is on the whole a fair and impartial history.

Throughout the book Mr. Gray uses his history to point the morals which he wishes to draw as to the general trend of philanthropic endeavour. He insists strongly on the point that the success of a particular institution or the success of a particular society may still mean failure to ameliorate the condition of the people as a whole. He is at one with almost all thinkers on the subject when he insists on the extreme complexity and difficulty of successful philanthropic work. But his conclusion is surely both wrong and mischievous when he states that the failure of charity to relieve all misery condemns charity as a means of bettering the condition of the people; he might as well say our police system is a failure because crime still exists. The author points out very truly that many philanthropic efforts, like the elementary schools, began by being private charities and afterwards were undertaken by the state. But surely it is not true that they became state institutions because charity failed; rather was it because charity succeeded so well that what was once the privilege of the few became the right of all. A like result in our own time has followed the founding of polytechnics, now a public institution, but beginning in the self-sacrificing efforts of an original philanthropist. Mr. Gray undervalues the power of initiation which has been shown by private philanthropists and also the great success which has been achieved by charity in such directions as prison reform, hospitals, the abolition of slavery, and elementary education. The history Mr. Gray himself puts before us clearly shows that though charity has not entirely succeeded neither has it entirely failed.

E. M. LEONARD.

Calendar of State Papers, Foreign Series, of the Reign of Elizabeth, 1579-80, Preserved in the Public Record Office. Edited by ARTHUR JOHN BUTLER, M.A. (London: H.M. Stationery Office. 1904.)

THIS volume is considerably less bulky than its immediate predecessors, and yet covers a period half as long again, extending from 1 July 1579, to 31 December 1580. The diminution in the number of foreign state papers thus indicated is probably temporary and accidental, and may indeed be simply due to a larger number than usual having strayed into the British Museum or other archives prohibited to the editors of this series. Sir Henry Maxwell-Lyte has no doubt reasons for this prohibition; but the exclusion from this series of all the correspondence of English representatives abroad which does not happen to be located in the Record Office halves the value of these volumes and more than doubles the labour of students of Elizabethan foreign policy. The mistake is all the more deplorable because it is not likely to be remedied until the centuries requisite for the completion of the foreign calendar at the present rate of progress have elapsed.

To judge by these documents France has taken the place of the Netherlands as the most important centre of English diplomacy, and the correspondence of Sir H. Cobham, who succeeded Paulet as English ambassador at Paris, occupies a considerable part of this volume. His despatches are more interesting than Paulet's, but he fails to give any very clear impression of French policy, probably because no definite policy was being followed. Catherine de' Medici, as Paulet wrote, was 'king and queen of this country and had lost no part of her authority;' but her mind was never transparent. She did, indeed, profess a claim to the vacant throne of Portugal, and suggestions were made both in Paris and in London for joint action to keep Portugal out of the clutches of Philip II. But although popular feeling in Portugal was against Spain the nobility had been bribed by Philip, and a well-equipped force of Spanish veterans under Alba was an irresistible argument. Don Antonio was said 'to have gifts of nature to allure men,' but his claim was weak, and the Jesuits and many of the nobility would have preferred the duke of Braganza. The Portuguese, moreover, had no army worth mentioning, and Alba's rapid success soon dissipated Cobham's hope that Philip II would find another Netherlands in Portugal.

In spite of French annoyance at Philip's success Cobham suspected a secret understanding between Philip II and Henry III and a widespread plot for the suppression of protestantism. In Italy Philip and the grand duke of Tuscany dominated the papacy, and even Venice, hitherto the most independent of Italian states, was thought to have been brought into the alliance against England. Philip was casting his net far and wide; 'it is judged in Italy that the amity which the king of Spain has made with the king of Sweden is to great purpose for those seas' (p. 354). The catholic designs of the Swedish king John missed fire; but the Spanish expedition to Ireland, D'Aubigny's intrigues in Scotland, the influence of the Guises, and the weakness of the Huguenots led Walsingham to declare that there was nothing left but prayer and patience (p. 478). The dangers of the situation produced a revival of

the marriage negotiations between Elizabeth and Anjou (p. 164), which were used by the queen to obtain better terms for the Huguenots. But their hollowness is illustrated by the fact that even during their progress Elizabeth was doing her best to prevent the acceptance by the Netherlands of Anjou's sovereignty. She and Burghley dreaded the absorption of the Netherlands by France much more than their reconquest by Spain. This was a sound instinct, but the French danger was largely due to Elizabeth's refusal to render adequate aid to William of Orange. Her assistance, however, had been considerable, and it is pointed out (p. 285) that she had always refused to harbour Spanish ships, 'without which there is no hope of recovering those places in Flanders.' Philip, in fact, had already come to the conclusion (p. 160) that the reconquest of the Netherlands was impossible so long as England stood in the way; and some thought that an attempt on England would have been made in 1580 had not the Portuguese crisis diverted Philip's energies. This is improbable; the conquest of England was never really feasible in the sixteenth century, and Philip would probably not have attempted it had not the acquisition of the Portuguese sea-board, navy, and colonial empire doubled his chances of success. The Smerwick expedition may have been designed to test the prospects of an attack upon Ireland; more probably it was merely a blind or a diversion engineered mainly at the pope's expense to prevent English intervention in Portugal.

One or two incidental statements are of interest. There is a curiously modern lament (p. 286) that 'all nations are furnished with ordnance from England.' On p. 389 the earl of Westmorland denounces Leicester as 'the chief' of the northern rebellion of 1569; and on p. 284 we have the earliest treaty between England and Turkey. The volume is carefully edited, though the Lady Sheffield mentioned on p. 322 does not occur in the index, nor is there a cross-reference from 'Damville' to Montmorency. Henry Percy (p. 584) was not 'duke' of Northumberland; 'Laumburg' (p. 81) should be 'Naumburg'; 'court of Retz' (p. 416) is of course 'count of Retz'; the letter of credence on p. 867 should be dated '1580,' and it was apparently meant for Sir William Waad, though no address is given.

A. F. POLLARD.

Archives Municipales de Bayonne; Registres Français. Tome ii (1580-1600). (Bayonne. 1906.)

THIS is the fifth volume of its *Archives Municipales* which the city of Bayonne has printed. Two of the editors of the former volumes are deceased, but their successors show equal skill and care in the production of this volume. The twenty years included in it mark the close of a period. The city now completes its territorial possessions, much as they remain to this day. In 1588 the first ship crosses the bar of the new entrance to the Adour, due to the genius of the great engineer Louis de Foix. In 1584 the jurisdiction of St. Esprit and of the northern suburbs is purchased from the king of Navarre. To compensate Cap Breton for the loss of its shipping, and to fix the sands, pine trees are planted from there to Labenne. Politically the time is one of great unrest and confusion. The city wishes to be loyal, and makes a fresh

oath of obedience to Henri III only three months before his assassination. There are constant threats from the protestants on the one side and from the leaguers and the Spaniards on the other. It would preserve its commerce with England, but privateers from St. Jean de Luz, licensed by the court, act as pirates against all shipping, and Spanish war ships cruise off the coasts with suspicious intentions. The English were friends of the protestants at La Rochelle, and English sailors coming thence are imprisoned for blasphemy and for singing the psalms of Marot and De Bèze. In 1591 the appearance of an English ship with thirty pieces of artillery in the river causes great alarm, but it does no harm. An English ship accidentally sunk is raised again. When in 1595 war with Spain is determined on, the Bayonnais petitioned earnestly that the proclamation should be delayed eight days, in order to give them opportunity to withdraw twenty-six of their ships and a million livres' worth of merchandise from the neighbouring Spanish ports.

These continual menaces of war, and the precautions taken, naturally strengthened the military authorities. The bishop and clergy too are accused of favouring the league and of slandering the townsmen. This weakened any united resistance. There is a standing quarrel about the appointment of the Lent and Advent preacher. Education is obligatory on all, but the city has difficulty in compelling the chapter to pay its share of the expenses. However a college for higher education is started by the bishop. Sunday observance, under penalty of fine, is most strictly enjoined, especially on the fishermen. The great yearly festival is the *Jour du Sacre* (Corpus Christi Day); but the charges are so high and the responsibility of keeping order on that day are so great that it is hard to find any one to accept the office of *capitaine du Sacre*. As curiosities may be mentioned the *corau bartolat*, an armoured floating battery, which was moved on the rivers above or below the town as needed for defence. Maize was already grown so extensively round Bayonne that the stalks floating down the rivers were a serious nuisance, catching in the chains and blocking the bridges. Repeated orders are made to burn them and not to throw them into the rivers under penalty of fine. When in 1591 the princess Catherine of Navarre, sister of Henri IV, visited Bayonne, the municipality, being more seriously preoccupied, forgot to offer her the accustomed presents; at last in a hurry they decided to send her *cinquante barilz de confitures* as soon as they possibly could. As the monarchy strengthened, from being an almost autonomous city Bayonne became only *une des bonnes villes* of France; but in the general advance in welfare of the kingdom it found a great accession to its material prosperity. WENTWORTH WEBSTER.

The Scottish Parliament: its Constitution and Procedure, 1603-1707.

By CHARLES SANFORD TERRY, M.A., Burnett-Fletcher Professor of History in the University of Aberdeen. (Glasgow: MacLehose. 1905.)

THE Scottish parliament has received but scant attention from Scottish historians, but this neglect on their part has a simple and natural explanation: at no period of their history was their national assembly an object of permanent and living interest to the Scottish people. The

meetings of a few Scottish parliaments are conspicuous events in the national history, but the interest and importance of these events do not lie in the parliament for itself, but in the questions that happened for the time to occupy it. The most notable meeting of the Scottish estates was that of 1560, when the nation was face to face with a turning-point in its destinies. But the interest of that momentous assembly does not turn on constitutional questions regarding the powers and privileges of parliament: then and now the absorbing point of interest was and is the decision it took in the choice of alternatives that lay before the nation—the alternatives whether it was to abide by Rome and the French alliance, or change its religion and, as a consequence, link its future with that of protestant England. Another memorable Scottish parliament was that which met in 1689 under the ascendancy of the triumphant Covenanted party. As Professor Terry has pointed out, this parliament in its successive sessions effected considerable constitutional changes in the direction of enlarging its powers; but its main historical importance is not attached to these reforms in its own constitution but to its action with regard to the burning questions that were dividing king and people. And so, too, in the case of the Restoration Parliament of 1660 and of the Revolution Parliament of 1689. In both of these parliaments alterations were made in the method of conducting business, but the historical significance of both assemblies is not to be found in these changes, but in the bearing of their various enactments on the absorbing political and ecclesiastical questions of the hour. Thus we have an explanation of the subsidiary place that constitutional questions occupy in the general history of Scotland. Scotsmen of no class or condition were permanently interested in them, and only when some great national crisis arose did parliament for the time being become an object of eager concern, and even on these occasions not for itself but for the issues on which it had to decide. It was a habit of the Scots from the earliest time to give jesting nicknames to their parliaments, and the habit would seem to imply that they regarded their meetings with amused indifference as pleasant occurrences in the monotony of the national life.

Professor Terry's book (not the least interesting and important of his numerous contributions to Scottish history) supplies a real gap. Taken along with Mr. Rait's essay on the Scottish parliament and Mr. and Mrs. Porritt's chapters in their *Unreformed Parliament*, it furnishes us with almost all the information we need regarding its subject. Nominally it deals only with the period between 1603 and 1707, but in point of fact it surveys the development of the Scottish estates from the earliest period of which we have anything like adequate information. The process by which the commissioners for the shires and the commissioners for the burghs became representatives in the strict sense of the term, the transformations which were successively wrought in the committee of the lords of the articles, the changes that were effected in the methods of election—these are the main themes of Professor Terry's book, which he has worked out in detail in his text and illustrated by a valuable appendix of original authorities. Mr. Terry's central idea is that from 1640 onwards there was such a gradual development in the powers of the Scottish parliament that, when its existence was cut short

by the union of 1707, it was in a fair way to become a tolerable copy of the English house of commons. The fundamental fact of this development was the virtual transference of the election of the lords of the articles from the crown to the parliament itself. Acquired by the Covenanted Parliament of 1640, this privilege was virtually lost in the Restoration Parliament (1668) and recovered in the parliament of the Revolution. As Professor Terry remarks, it is to the growth of the secular spirit in the nation at large, and, we may add, to the appearance of the various refractory parties that followed the Revolution, that we must attribute the vigorous life which is apparent in the Scottish parliament in the years immediately preceding its end. In these years, for the first time in its existence it was a veritable arena where the passions and convictions that divided the nation found untrammelled expression, and where the practical issues at stake were not a foregone conclusion.

Throughout Professor Terry's book there is the implication, conscious or unconscious on his part, that the Scottish parliament was after all not the most important public body in the country, and this implication is fully borne out by the facts of the national history. At different periods we find it overridden by one of two rival bodies—the general assembly and the privy council. During the years that immediately followed the national revolt which produced the Covenants it only registered the decrees of the assembly on all important questions. Throughout the reigns of the later Stuarts it was from the privy council that with good or bad grace it was constrained to take its orders. 'This I must say for Scotland,' James VI told his English parliament, 'and may truly vaunt it. Here I sit and govern it with my pen: I write and it is done; and by a clerk of council I govern Scotland now, which others could not do by the sword.' Charles I, when he imposed the new liturgy which was the occasion of the national revolt, did not think it worth while to consult his Scottish parliament, but simply sent down his behest to his council. During the reign of Charles II parliament was, in the words of a contemporary royalist historian, the king's 'baron court; ' and James VII told his privy council that it was a mere act of courtesy on his part and wholly unnecessary when he asked his Scottish parliament to rescind the penal laws against Roman catholics. As men cannot be converted into mere automata, there were refractory members in the most submissive of the Scottish parliaments, but by the means devised or perfected by James VI he and his successors could always contrive to force the measures which they deemed vital to their prerogative. The secretary of the council, such was the common saying, was the 'king of Scotland,' and the council itself was compared to a 'Turkish divan.' And on the eve of the union we find a contemporary using these remarkable words: 'Long ago it hath been a problem in Scotland whether parliaments were useful or not.'

It is with the reserves suggested by these considerations, which did not fall within the compass of Professor Terry's work, that we have to read the constitutional history of Scotland during the seventeenth century. Like all human institutions the Scottish parliament has an interest of its own, and the very endeavour to show how it failed to become an adequate representative assembly throws light on the national development and the

idiosyncrasies of the Scottish people. For this, if for no other reason, all students and teachers of Scottish history must be grateful to Professor Terry for his lucid and convenient compendium. P. HUME BROWN.

Lettres du Cardinal de Mazarin pendant son Ministère. Recueillies et publiées par le Vicomte S. D'AVENEL. Vol. IX. ('Documents Inédits sur l'Histoire de France.') (Paris: Imprimerie Nationale. 1906.)

THIS volume completes the great collection of Mazarin's letters, of which Chéruel edited the first six volumes, and the present editor volumes vii. and viii. The present instalment covers the period from August 1658 to the cardinal's death in March 1661. How much these papers contribute to the understanding of the history of European politics during those years is clearly shown in Chéruel's *Histoire de France sous le Ministère de Mazarin*. A perusal of this volume increases one's admiration for the skill with which that author mastered the letters and selected the extracts he gives in his work. In this review it will suffice to insist upon the light which the letters throw on English rather than European politics.

The main lines of the policy which Mazarin pursued towards England during the crisis which produced the Restoration are indicated with perfect clearness by Chéruel, but these letters enable us to follow it more closely and to fix the details with more exactness. Guizot, in his books on the two Cromwells, Oliver and Richard, printed a certain number of the letters which Mazarin wrote to Bordeaux, the French ambassador in London, but a considerable number of additional letters are here published for the first time. Besides these we have here a series of letters from the cardinal to the abbé Montaignu—that is, Walter Montagu, abbot of St. Martin's, near Pontoise, and second son of the first earl of Manchester. They explain Mazarin's policy towards Charles II and the royalists, and thus supplement those addressed to Bordeaux. There are also letters to Marshal Turenne, which throw some light on the attitude of Mazarin towards the various governments of England, but unluckily there are only two letters to Lockhart, the English ambassador to France. Mazarin's business with him was generally transacted by word of mouth.

At the beginning of August 1658, when the volume opens, Dunkirk had been for some six weeks in English hands, and the French army under Turenne was besieging Gravelines. About 2,000 Englishmen under Morgan were serving in the French army, and Lockhart, the governor of Dunkirk, was preparing to join Turenne with 800 horse and a regiment of foot, in order to repulse a Spanish attempt to raise the siege (pp. 12, 17, 20, 24, 88). Then came the illness and the death of Cromwell. On the first news of the Protector's illness Mazarin sent a promise of support to Lockhart, and told him to beware of the attempts of the Spaniards and the royalists to debauch the garrison of Dunkirk (pp. 59, 61). He also told him that Louis XIV and the French court had gone into mourning for the Protector, and personally congratulated Richard Cromwell on his peaceful accession (pp. 64, 67, 85). Mazarin had hopes that the defeats of the Spaniards would lead to a revolt in Flanders, and to the constitution of an independent state out of the Spanish Low Countries. For this object he was negotiating in Holland,

and had come to an understanding with Lockhart, *qui tesmoignoit souhaiter avec grande passion que la Flandre prist la résolution de s'ériger en pays libre*; but this intrigue came to nothing (pp. 64-9). More important was the offer to negotiate which Spain made through Pimentel in November 1658. Mazarin communicated the offer to the English government, though he hardly told them the whole truth about it (pp. 112, 133). In March 1659 he complained that the English government would not make up its mind and announce its intentions about making peace with Spain (pp. 184, 188). He also complained with some bitterness that it had set on foot a private negotiation with the Spanish government in Flanders by the agency of a certain Colonel Wolter, a member of parliament (p. 188), and also through a certain Davison (p. 145). Of these underhand negotiations there is no trace in English records, nor was there any member of parliament of the name mentioned. Another grievance against his allies was that Sweden, to obtain the aid of the English fleet against Denmark, had offered the English government the possession of Glückstadt, and that the offer seemed likely to be accepted. The cardinal protested strongly against this tendency to abandon the scheme for joint mediation in the northern war for the sake of self-interest (p. 135). Nevertheless, as soon as Richard Cromwell's difficulties with the army began, Mazarin offered him the aid of 4,000 men (p. 135), and showed a disposition to support Henry Cromwell if he attempted armed resistance to the overthrow of the Protectorate (p. 151). Bordeaux was instructed to delay recognising the republic and to negotiate with the council of state rather than the parliament (*ibid.*); for Mazarin was convinced that the existence of a strong republic in England was detrimental to France, and that the rule of the house of Cromwell or the restoration of the Stuart monarchy was preferable both for dynastic and national reasons (pp. 148, 275, 357). He had predicted the fall of Richard to Lockhart, and in a letter to Turenne he further predicted the breach between the parliament and the army (p. 149).

Mazarin did not allow his prepossessions to prevent him from remaining on good terms with the temporary rulers of England. Lockhart, when he came to France as ambassador from the republic, was received with every sign of distinction (p. 194). Dunkirk was protected from the designs of the Spaniards against it, and the English contingent serving with the French army was sent back to help to hold it (pp. 149, 165, 167, 181, 197). Bordeaux was instructed not to discuss public affairs with English royalists, and Charles II was refused leave to visit his mother in France (pp. 168, 167, 187). Mazarin condemned as 'rash and unseasonable' the design of Charles II and the duke of York to go to England in order to head the insurrection which broke out in August 1659 (p. 206). He was much annoyed when he found that Turenne had promised aid to the duke of York and had allowed various officers to assist his enterprise (pp. 275, 332, 341, 363, 380). He regarded the royalists as the most incapable of conspirators. 'If you succeed in your enterprises,' he wrote to Walter Montagu, 'God is visibly on your side; for while success generally depends on secrecy I see that not only all your plans are public property, but even the means by which you propose to put them into execution.' More than once he refers to the loose tongues

of the courtiers and the damage they did to the king's cause (pp. 218, 280, 315, 331). At the same time he distrusted the king and his counsellors as thoroughly Spanish in all their sympathies, and despised them as utterly incapable (pp. 276, 357). The duke of York he regarded as much abler than the king, and remarked upon the jealousy of the latter towards his brother (pp. 277, 427). The journey which Charles made to Fuenterrabia in October 1659, in order to be present at the conference which led to the treaty of the Pyrenees, was undertaken much against Mazarin's desire, and caused him great inconvenience (pp. 331, 337, 343, 454). When Charles arrived the cardinal refused to see him (p. 356), for Lockhart was at Fuenterrabia too, and Mazarin was protesting to him that he would give the royalists no help (p. 362). After Lockhart's recall to England (p. 399) the situation was simpler, especially since the breach between the army and parliament made the king's prospects better. Don Louis de Haro, who in their first conferences had never suggested any joint action of France and Spain in favour of Charles II, now changed his tone (pp. 315, 398). Mazarin sent a message to Charles advising him to establish himself on the Flemish coast and be ready for any opportunity that might occur, but he was determined that Louis XIV should make no movement in favour of Charles till some party declared for him in England (pp. 427, 444).

To this waiting policy Mazarin inflexibly adhered. Bordeaux was instructed to be careful to keep on the best of terms with Lockhart, to explain that the cardinal had neither directly nor indirectly entered into any negotiation with Charles II, and to find out the intentions of the English government about the northern war and the question of peace with Spain (p. 450). *Pour décider des affaires d'Angleterre il faut laisser arriver Monk à Londres avec ses troupes*, he wrote to Turenne on 2/12 February 1662, and three weeks later he was still in doubt what Monk's intentions were (pp. 495, 535, 550). The Spaniards were more confident that the king's restoration was approaching, and early in March Don Louis de Haro sent Charles 100,000 crowns, and ordered the marquis of Caracena to furnish him with 3,000 men and all the arms he could (p. 558). When Charles went to Breda the cardinal was much annoyed that he had not come to France instead, and attributed his choice to the evil influence of Hyde.

Vous ne sauriez rien faire de plus agréable à Sa Majesté ny plus avantageux au roy et à la reyne d'Angleterre que d'employer adroitement vos soins pour porter en France la negociation de l'accomodement du roy, afin de rompre les mesures que le Chancelier prend pour s'accréditer de plus en plus dans son esprit.

But before the letter containing this message could be sent to Bordeaux the recall of Charles II had been decided by the Convention, and all thoughts of a treaty were ended (p. 608). Mazarin had been too slow and too cautious; he had incurred thereby the ill-will both of Charles and of the duke of York, while the king's chief adviser was the declared enemy of France (p. 621).

The refusal of Charles II to receive Bordeaux as ambassador and the insulting way in which Bordeaux was ordered to leave the kingdom seemed to Mazarin a deliberate plot of Hyde's to prevent a good understanding

between Louis XIV and Charles, in order to secure his own credit with his master. At the same time he warmly defended Bordeaux against the charges brought against him (p. 625). Another letter to Montagu relates the history of the proposed match between Hortense Mancini and Charles II. Mazarin had refused to think of it when St. Albans and Montagu first proposed it in 1659, and again after the restoration of Charles. Now, writing on 17 November 1660, he prayed Charles no longer to press the proposal upon him. Lionne's account of a conversation with the earl of Bristol, quoted by the editor in a footnote, supplies evidence which seems to prove the cardinal's sincerity (pp. 670, 678). In the same letter Montagu is commissioned to persuade Queen Henrietta Maria to acquiesce in the marriage of the duke of York to Anne Hyde, a subject again touched upon in a letter to M. Bartet, *chargé d'affaires* in London, in January 1661 (pp. 669, 679). From this summary it will be seen that the volume is an addition of serious value to the not too numerous sources of information on the subject of England's continental relations during the years 1658-1660. Excellent as the despatches of Bordeaux are, by themselves they are insufficient to explain the policy of the French government towards England and English parties, and Guizot did not print the whole of them. After the fall of Richard Cromwell the Thurloe Papers cease to be of much value for English affairs. A few of Lockhart's letters from France in 1659 are printed in the *Clarendon State Papers*, but most of them seem to have perished. The documents relating to the period amongst the Foreign State Papers in the Record Office are few and barren. For these reasons Mazarin's letters, besides their intrinsic interest, possess a value which they would not have if our domestic sources of information were more complete. C. H. FIRTH.

The English Church from the Accession of George I to the End of the Eighteenth Century. By the late Rev. JOHN H. OVERTON, D.D., and the Rev. FREDERIC RELTON, A.K.C. (London: Macmillan. 1906.)

SATISFACTORY as this volume is on the whole it is impossible not to regret that Canon Overton did not live to give it its final form. In other words, its chief defect, in our eyes, is a lack of that sympathetic treatment of a subject which can only come from a lifelong study. Nor is it easy for one who writes from the point of view of modern Anglicanism to find room for anything but criticism in dealing with the average churchmanship of the eighteenth century. Mr. Relton's remark—'What we now know as a well-worked parish did not, of course, exist'—is significant of a whole world of changes in standards and ideals. But full credit must be given to him for a desire to be fair. He tells us in the preface that the more eighteenth-century church life is studied 'the more full of life it is found to be. Not, perhaps, our kind of life, but life nevertheless.' In illustration of this attitude it may be remarked by the way that the account of Hoadly is temperate and on the whole impartial. With a volume of this scope and compass, and containing so much, it is invidious to suggest the addition of more. But while the great ecclesiastical personalities of the epoch are brought before the reader in a series of

admirable little biographical sketches, and while the religious controversies and movements (the Nonjurors, the Methodists, the Evangelicals) of the time are adequately and even fully treated, we cannot help regretting that more space was not devoted to reconstructing an intelligible picture of the average church and parson. There is an abundance of biographical and anecdotal material available for the purpose. Generalisations about the low level of church life, though they may contain a large element of truth, are apt to become too sweeping unless they are controlled by instances drawn from such sources. Mr. Relton on several occasions dwells on the absence of church-building during the century. In one place he goes so far as to say that 'no new churches were being built' (p. 224); but this must not be taken literally, for elsewhere he remarks that 'the churches built between 1714 and 1801 that are at all noteworthy could be counted on the fingers of two hands' (p. 287). By reference only to obvious sources, and without any labour of research, we have been able to make out a list of fifty new churches or chapels of ease erected between those dates, and doubtless the number might be increased. They belong to all parts of the country, and indicate a definite attempt to keep pace with the increase of population, which, it must be remembered, was then chiefly confined to a few commercial centres and never attained the proportions which it reached in the next century. Thus in Manchester and its suburbs twelve new churches were opened between 1740 and 1798, in Liverpool ten between 1784 and 1798, while Birmingham, Sheffield, and Leeds added about three apiece during the same period. We are not speaking, of course, of the rebuilding of churches, which was by no means infrequent, nor were the results always so despicable as they appear to Mr. Relton, who concludes that 'the fewer churches built the better at a time when taste in ecclesiastical architecture was so degenerate.' We are glad to think that every year there are fewer people who would agree with this sweeping condemnation. The fact is that of the eighteenth-century churches in the style of the English Renaissance some have stood the test of time as works of permanent value and some have not; and no more can be said of the hundreds of imitations of medieval churches which have sprung up since the rise of the Oxford movement.

With an immense amount of detail this book appears to be singularly free from errors. It would be easy to suggest additional facts, only that those who have to do with the composition of short histories know how difficult is the task of selection, and how much is of necessity excluded. But perhaps it would have been worth while to quote Horace Walpole's vivid account of the service in Wesley's chapel at Bath in 1766. In describing Bishop Wilson's restoration of 'discipline' in the Isle of Man the author says that it 'had long been in abeyance almost everywhere else.' He should have investigated the contemporary cases of its occurrence in England. Three examples of public penances enjoined (and performed) under the jurisdiction of the chapter of York in 1780 and 1781 have recently been published in the *Journal of the Yorkshire Archaeological Association*. A few words might have been said about the clerical antiquaries of the eighteenth century, a class of which William Cole is typical. Even in the account of one of the greatest of them,

Bishop Gibson, there is no explanation of what the *Codex* contains; and we may add that his edition of Camden's *Britannia* is a great deal more than an 'English translation.'

G. McN. RUSHFORTH.

Geschichte der deutschen Geschichtschreibung von der Mitte des achtzehnten Jahrhunderts bis zur Romantik in Zusammenhang mit der allgemeinen geistigen Entwicklung. Von ERNST SCHAUMKELL. (Leipzig: Teubner. 1905.)

THIS substantial monograph is published, with other prize studies, by the Fürstlich Jablonowski'sche Gesellschaft in Leipzig. The field it covers is a wide one. The author begins with a survey of the main characteristics of the 'Illumination' (*Aufklärung*) in general, and passes on to examine the chief intellectual forces which acted on the German historians of the eighteenth and early nineteenth centuries. The influence of French and of English historians, the literary and administrative policy of Frederick the Great, the Critical Philosophy, the rediscovery of ancient art, the impulses to cosmopolitanism on the one hand and to patriotism on the other, are the factors which Herr Schaumkell has set himself to trace in the voluminous works of a large number of historians. The subject is treated with breadth of view and with a ready recognition of the contributions made by each historian to the general result, though the shortcomings both of schools and of individuals are not spared. Great importance is attached to the influence of Herder, in that he first recognised the necessity for the historian to acquire a deep and sympathetic appreciation of the mental and moral atmosphere of any period he might undertake to describe. To Winckelmann is given the credit of discerning that the history of a people's art must be taken as a department of the history of its general development, and a similar service is shown to have been rendered to the history of the church and of religion by Spittler and other historians of the Göttingen school. The influence of Kant, which might seem to have been anything but historical, is shown to have rendered real service to history on its geographical and anthropological side. Nevertheless the fanciful results of a *a priori* reasonings as to human progress are illustrated in some of Kant's followers. Universal history seemed to them impossible without a theory as to the final end of mankind, and the investigations of historical sources, if insisted on as a duty, seems to have been taken as a fairly easy duty. But the *a priori* investigation of history was always resisted in some quarters, and the influence of Heeren, with his insistence on the commercial and economic side of history, helped to establish the subject on *terra firma*. The work of the Romanticists and of the really critical historians, like Niebuhr and Wolf, is touched upon, but does not fall within the general scope of Herr Schaumkell's investigation.

The book is unfortunately without index or table of contents, and the arrangement leaves something to be desired. Thus if the respective influences of Kant and Herder had been more perspicuously treated, the parting of their ways might be more easily discerned. In treating of Herder the author dwells upon the influence exerted on him by Kant, but gives the impression that Herder carried off into historical fields that doctrine of freedom and final ends, which, after the year 1770, Kant

restricted to the transcendental, leaving to history the purely empirical method of treatment. Yet when we come to the section on Kant we find that the idea of freedom is taken to be essentially Kantian, even in history, without respect to the dates of Kant's several writings. It seems that the author does not consider the Kantian position with regard to history quite self-consistent, but in that case the contrast with Herder is less apparent. In general, however, Herr Schaumkell spares no pains to make his criticisms clear and convincing.

ALICE GARDNER.

Les Cahiers de la Flandre Maritime en 1789. Par A. DE SAINT-LÉGER et PH. SAGNAC, Professeurs d'Histoire à l'Université de Lille. Tome I. (Dunkirk : Société Dunkerquoise ; Paris : Picard. 1906.)

THE Société Dunkerquoise is to be congratulated on the appearance of this volume. It is the first of two containing a critical edition of the *cahiers* of maritime Flanders, and readers of the *English Historical Review* will appreciate the importance of such an undertaking. They will be still more grateful to the society when they see that the task has been entrusted to two such scholars as MM. de Saint-Léger and Sagnac. In this first volume we are given eighty-three *cahiers* out of 183, all of them *cahiers* of towns and villages. M. Sagnac has prefixed an admirable introduction on the history of the province from the time of its annexation by Louis XIV to the Revolution, its institutions, and the character of its *cahiers*. Flanders had two advantages as compared with other parts of France. It retained the relics of self-government in the *assemblée du département*, a system which, though it did not bring the liberty of the *pays d'état*, was yet something better than the political impotence of the *pays d'élection*. Economically also, the difference between nobles and commoners was less than elsewhere. The great nobles at the time of the annexation had to decide whether they would remain Spaniards or become Frenchmen, and those who remained migrated to other parts of France, where they could enjoy privileges and immunities which were denied to them in Flanders. So there was no *grande noblesse*, and in 1700 it was calculated that the province contained only 183 noble families in all ; and apparently the number had not much increased by 1789. As might have been expected the real aristocracy of Flanders is to be found in the municipalities and *bourgeoisie*, which, with the disappearance of the *noblesse*, would have got all the local power into their hands but for the timely intervention of the royal government.

M. Sagnac does justice to the paternal government of the *ancien régime*, for he shows how it turned the neglected swamps of Spanish Flanders into one of the richest provinces of the kingdom. It retained the old institutions, though it is true it drained their strength by sending a swarm of officials into the province, in order to lay burdens of taxation which would have been intolerable had it not been for the practice of *abonnement* adopted by the province ; and finally, says M. Sagnac, it converted the Flemings into Frenchmen. But perusal of the *cahiers* shows that, while the Flemings were loyal to the French government, the hundred years of French rule had not eradicated several Fleming characteristics. The old feelings of local jealousy and conservatism

appear strongly. Here we find the old jealousy of country towards town, of townspeople towards corporations: there we find demands that provincial estates be established in Flanders, as in Dauphiné, that the *vierschaire* be re-established and separated from the court of Cassel, as before 1774, that local dues be modified or abolished, that the peasants be allowed to have arms to beat off 'thieves, wolves, and mad dogs;' or again the local bootmaker is found complaining of the price of leather and the *brasseur* of the price of food. If any general demand be made, it is of the same nature as the following: *Que les commis ou employés soient supprimés à jamais, comme étant des êtres ruineux à la France* (p. 44). The demands, it will be seen, though local, are of a severely practical nature; abstract questions of political philosophy, the liberty of the subject, the frequent meetings of the states-general, and so forth, which form the staple of *cahiers* in most other parts of France, are here rather the exception than the rule. Nor did the French succeed in destroying the hatred of foreigners; French, if possible Flemish, monopoly in trade is strongly insisted on, and of course the commercial treaty of 1786 is denounced; but the bishop of Ypres, though, so to speak, an Austrian subject, is a Fleming, and therefore the clergy who were under him had no objection to electing him to the states-general. The strong religious feeling appears in the *cahier* of Hondeghem, art. 6: 'That the catholic religion be maintained in the kingdom and especially in this province' (p. 151). The language of the country is Flemish, and all the *cahiers* were drawn up in Flemish as well as in French. MM. de Saint-Léger and Sagnac have been at the pains to print the documents *verbatim et literatim*, and this departure from usual custom in the case of French Revolution documents is fully justified, if only because it shows that these good Flemings are not at home in the French language.

It is to be hoped that the second volume of a work at once so interesting and so carefully and exactly edited may soon appear. If a suggestion may be permitted it is that where the clause of the *cahier* has been suppressed, owing to its identity or close similarity to one printed elsewhere, either the reference to the page on which the clause is to be found should be given, or else a word or two added to indicate the subject with which the clause deals. By this means the student would be saved considerable trouble: if the former plan were adopted, he would not have to search in a table of contents which is not alphabetically arranged; if the latter, he would know whether he need search in the table of contents or not. This inconvenience, however, may be remedied by the index which will doubtless be provided together with the appendices and much needed glossary promised by the learned editors.

L. G. WICKHAM LEGG.

Soldats ambassadeurs sous le Directoire. An IV—An VIII. Par A. DRY.
2 vols. (Paris: Plon. 1906.)

WHEN diplomatic relations were resumed, after the establishment of the Directory, with countries which had been at war with the French republic, there was some difficulty in finding suitable representatives. The more prominent politicians were regicides, and as such personally unacceptable. Those who were free from this objection, and had had

some previous training in diplomacy, were for the most part men of little weight. This led the Directors to turn to soldiers of distinction as on the whole best fitted to represent their country with dignity and to find favour at foreign courts. M. Dry has taken these soldier diplomatists as the subject for a series of studies which throw light on the men themselves and on the courts to which they were accredited.

The first was Pérignon, who had beaten the Spaniards at Figueras, and was sent to Madrid as ambassador in 1796. He had some legal as well as military training, and with the help of Godoy, who was friendly to France, he brought about the treaty of San Ildefonso. But his methods were thought too mild, and he was replaced by Admiral Truguet, a man of hot temper and overbearing manners, who showed his contempt for court etiquette by turning his back on the king of Spain at his first audience. He was disliked by Talleyrand, who obtained his recall in six months. Aubert-Dubayet, who was sent to Constantinople, had shown himself a good soldier on the Rhine and in Brittany, and had been minister of war. He was accompanied by a body of officers who were to serve as instructors for the Turkish army. This military mission proved a failure. The ambassador himself met with much obstruction, and died at the end of 1797, thus escaping the fate of the French *chargé d'affaires*, who was imprisoned in the Seven Towers when Bonaparte occupied Egypt. The post of ambassador at Naples was a difficult one, owing to the hatred felt by Mary Caroline for the men who had guillotined her sister, a hatred kept alive by the influence of Acton and the Hamiltons. Cancellaux, who was sent to Naples in 1796, was personally well qualified to abate it. A man of good family, who had risen to high rank under Louis XVI, but had served the republic faithfully in La Vendée, his courteous manners made things go smoothly. He believed himself to be gaining influence; but Bonaparte pronounced him wanting in energy, dexterity, and penetration, and he was recalled. After an interval another soldier of a different type was sent to Naples. Lacombe Saint-Michel was an artillery officer, but was chiefly known as a member of the legislative assembly and of the convention who had shown great energy in Corsica. He reached Naples at an unpropitious time, when the court and city were welcoming Nelson after his destruction of the French fleet at Aboukir, and were eagerly expecting the arrival of Mack to lead the Neapolitan troops against the French. Within three months the new ambassador was shipped off in a vessel which fell a prey to corsairs from Tunis. The account of Bernadotte's mission to Vienna, which also came to an abrupt end, illustrates the character and early career of the astute Bearnese who rose from private of marines to be king of Sweden. But perhaps the most interesting of all these studies is that of Clarke. He was sent to Italy towards the end of 1796, nominally to confer with Bonaparte and then go on to Vienna to negotiate for peace; but he was charged also with the duty of informing the Directors about the real situation in Italy and the aims of their general. Bonaparte saw through this, and took care that Clarke should not play the leading part in the negotiations. The *coup d'état* of Fructidor, which drove Clarke's patron, Carnot, into exile, was followed by an order recalling Clarke. But he had been wise enough to provide himself with a new patron in Bona-

parte, who shielded him not only from the hostile Directors, but also from indignant generals of the army of Italy, of whom Clarke had said hard things in his confidential reports. The pliant instrument became duc de Feltre and minister of war under Napoleon and Louis XVIII.

M. Dry has not confined himself to the missions, which in truth were none of them of great importance. He has given details of the career of his ambassadors both before and afterwards, and good portraits of them. Much of his material is drawn from unpublished archives, and it is well worked up. He has been anticipated to some extent by M. F. Masson and M. de Grandmaison, but his studies are valuable, and the further instalments of them which he promises will be welcome. He trips occasionally over English names: Sir William Hamilton, his nephew, Charles Greville, and Sir Morton Eden are all made lords. It is more surprising to find the daughter of Joseph Bonaparte spoken of as the widow of 'the elder brother of him who was afterwards to reign as Napoleon III.' Charles the son of Louis died at the age of five; it was Charles the son of Lucien who married Joseph's daughter.

E. M. LLOYD.

The History of England from Addington's Administration to the Close of William IV's Reign (1801-1837). ('The Political History of England,' Vol. XI.) By the Hon. GEORGE C. BRODRICK, D.C.L., late Warden of Merton College, Oxford. Completed and revised by J. K. FOTHERINGHAM, M.A. (London: Longmans. 1906.)

THIS book, which forms the eleventh volume of the new *Political History of England*, has an interest of its own. It comes to us as the posthumous offering of the late warden of Merton, Mr. Brodrick, a man whose ability and knowledge eminently qualified him to deal with the modern history of England. Mr. Brodrick, unfortunately, did not live to complete his task. Three chapters in the present volume, the tenth, the twelfth, and to some extent the eighteenth—in other words, the chapters dealing with foreign policy between 1820 and 1837—have been added by Mr. Fotheringham, who has also been entrusted with the task of recasting the manuscript 'to meet the plan' of the series. As, however, Mr. Fotheringham 'has been scrupulous in retaining' Mr. Brodrick's conclusions, and 'where possible his words,' we may regard the volume, as a whole, as an expression of Mr. Brodrick's views, while the facts in it have been corrected and revised by a highly competent student of history. It was natural to expect that a volume so prepared and perfected should reach a high standard; and it is, as a matter of fact, difficult to praise too greatly the accuracy and impartiality of the present work. Such criticism as will occur to most people applies rather to the scheme of the series than to Mr. Brodrick's narrative. It is, we think, unfortunate that this volume should commence in 1801 and end in 1837. The first of these years was almost the centre of the period of upheaval and war, which began in 1789 and was only concluded in 1815. The last was a sort of half-way house between the formation of Lord Melbourne's first ministry in 1834 and his final fall in 1841. In a volume thus ending and thus beginning we can hardly expect the unity and breadth of treatment which it is desirable to establish in a work of this character.

The late warden of Merton, moreover, by his temperament and training, was better qualified to write a history of peace than the annals of war. His account of the military operations which commenced in the lines of Torres Vedras and ended with the crowning glories of Waterloo does not stir the pulse. Even when he arrives at the years of peace his natural instincts induced him to hold over the chapters on foreign policy, which, as we have already said, were ultimately left to be written—we are glad to add, excellently written—by Mr. Fotheringham. Mr. Brodrick only settled in his saddle when he reached 1815, and when he found himself dealing with domestic politics and social progress. Thenceforward his seat became firmer, his grip closer as his narrative advanced.

And what a narrative it is! The people had looked forward, during the long period of war, to the comforts which peace would bring; and peace had few gifts in her lap, except the bill which the war had left her to pay. A bad harvest and high prices produced suffering, suffering discontent, discontent disturbances and outrages. And the ministry, mistaking discontent for insurrection, suspended the Habeas Corpus Act and passed the Six Acts. During the last five years of the reign of George III our ancestors were partly deprived of the right of free speech and free writing, which their forefathers had secured. But with the opening of a new reign the arbitrary measures which were thus adopted were gradually suffered to lapse. The loyalty which the venerable figure of George III had inspired was dissipated by the conduct and character of his son. The prosecution—or persecution—of Queen Caroline ranged the masses against the crown; and the ministry found it necessary to modify its policy and to introduce new blood into the cabinet. Changes which replaced Sidmouth with Peel, Castlereagh with Canning, Vansittart with Robinson, and Robinson with Huskisson led to revolutions in domestic and foreign policy, in finance and commerce. The legislation of the few last years of Liverpool's ministry was as progressive as the legislation of the few preceding years had been reactionary.

On the fatal illness of Liverpool in 1827 a contest commenced between the progressive and the reactionary members of the cabinet. Progress prevailed, and Canning became prime minister. But his untimely death led, after an interval, to the succession of the duke of Wellington to power and to the ultimate formation of a purely tory cabinet. The history of the next few years, however, was destined to show that the rising tide of liberalism was too strong for any ministry, however composed, to resist. In 1828 the government was compelled to remedy some of the grievances of nonconformist England by repealing the Test and Corporation Acts; in 1829 the return of O'Connell for Clare forced it to redress some of the wrongs of Roman catholic Ireland by the emancipation of the Roman catholics, while, in 1830, the ministry itself was swept away in a movement which led directly to the passage of the Reform Act of 1832. In the years which immediately succeeded the passage of this act the liberal ministry, under the successive guidance of Lord Grey and Lord Melbourne, abolished slavery in British colonies, reformed municipalities in Great Britain, carried a new poor law, commuted tithes in England, and instituted civil marriages; while it did something to satisfy the claims of Ireland by turning Irish tithes into a rent

charge on property, by reducing the ranks of the Irish episcopate, and by the introduction of undenominational education. But these great legislative achievements produced, as large reforms always produce, reaction. The wise conduct and dexterous leadership of Peel convinced the country that it had no longer anything to dread, and that, on the contrary, it had much to hope from the return of the conservatives, as the tories were now called, to power; and in the closing pages of Mr. Brodrick's volume we are conscious that the force of the liberal movement is exhausted, and that if the tide of liberalism is still flowing it has become 'such a tide as moving seems asleep, too full for sound and foam.'

Through this period of our history Mr. Brodrick carries us in his excellent narrative. If our only acquaintance with him were derived from the work, it would be difficult to determine his political opinions. We suppose that he intends to label himself an opportunist; he at any rate says that 'opportunism in best form, under the conditions of party government, is not far removed from political wisdom' (p. 353). Opportunism, however, whatever excellences it may embrace, does not lead to enthusiasm for either men or measures. The neutrality, which Mr. Brodrick usually observes, enables him to see virtues in individuals and excuses for policy which have not been always apparent to other historians. With him, 'as a man,' George III stands 'high, if not highest, in the gallery of our kings' (p. 185). Even George IV was 'a man of no ordinary ability, with a fine presence, courtly manners, various accomplishments, and clear-sighted intelligence' (p. 272), while William IV 'in honesty and simplicity was no unworthy son of George III' (p. 375). If we are disposed to condemn the domestic policy of 1815-1820 we are to remember that while Lord Liverpool's ministry included Sidmouth, Castlereagh, and Vansittart it included also Canning, Palmerston, and Peel (p. 172). Has not Mr. Brodrick himself forgotten that neither Peel nor Palmerston was in the cabinet, and that Peel was occupied in Ireland with the affairs of the chief secretaryship? On the other hand, when Mr. Brodrick disapproves he can write strongly. O'Connell, for example, is 'the most insolent of bullies' (p. 275); and when he speaks 'he exhausts the stores of his scurrilous invective' (p. 362). We can hardly be surprised, after these epithets, to find that 'force is the one sovereign remedy for organised crime.'

If, however, we are hardly prepared to endorse all the opinions which are scattered through Mr. Brodrick's pages we gladly acknowledge the clearness and accuracy of his narrative. We do not know where it is possible to find a better summary of English history during the first third of the nineteenth century; and we may safely say that the reader who is thoroughly versed in Mr. Brodrick's volume will know much more of our recent history than even persons who are supposed to be well informed. The care with which the book has been composed will be seen by the elaborate list of authorities which is inserted in the appendix to the volume. Though there are one or two omissions from that list for which it is difficult to account, it will be a most useful guide to students of the period. The section for Indian history strikes us, however, as scanty; and Mr. Brodrick or Mr. Fotheringham seems to be unaware that the foundation of any competent study of foreign politics

must be found in the parliamentary papers, which, as well as the shorter series of state papers published annually by the Foreign Office, are ignored in the list of authorities appended to the volume.

SPENCER WALPOLE.

Correspondance du Comte de Jaucourt avec le Prince de Talleyrand pendant le Congrès de Vienne. (Paris: Plon. 1905.)

THE grandson of the comte de Jaucourt has given to the world this important correspondence, and has completed it by the addition of biographical notes, including a sketch of the life of its author. Jaucourt's career was not of first-rate importance, but the consistency and ability with which he defended the cause of constitutional monarchy in 1790-2 won general respect. He retired with Talleyrand, Narbonne, Lameth, and others to England in 1792, and settled at Juniper Hall, which the editor describes rather vaguely as *à peu de distance de Londres*. It is between Dorking and Mickleham. It is strange to find Fanny Burney in her diary writing more enthusiastically about Jaucourt than about any other of that gifted company. After the events of Thermidor he returned to Paris, rallied to the Bonapartist régime, and distinguished himself in the Tribunate, being designated as president of that body when Napoleon dissolved it. Thereafter he accompanied King Joseph to Naples, and finally took part in the negotiations which led to the establishment of constitutional monarchy in 1814. The letters now published were not intended for publication, but they turn almost entirely on public affairs. As he held the portfolio of foreign affairs during the absence of Talleyrand at the congress of Vienna the letters may be termed semi-official. They certainly throw valuable light on events at Paris, while those of Talleyrand give additional information on certain aspects of European affairs.

Jaucourt's letters open with a description of the duke of Wellington's action during his embassy at Paris. He found the duke most friendly and correct in all his dealings, but very stiff on the matters on which their opinions clashed, among these being that, of the slave trade. Curiously enough Jaucourt names this question *le cheval de bataille* of the British government, a phrase which shows that he, like all continental diplomatists, could not believe in the disinterestedness of that government in taking it up. He admits that much of his correspondence is unimportant and uninteresting. Most readers will indeed wish that the editor had omitted the many passages of which this is true. Among the noteworthy topics we may mention the passages which set forth the urgent necessity of the marriage of the duc de Berry in the interests of the dynasty (p. 68), the intrigues between Metternich and Caroline the ex-queen of Naples (p. 140); the craving of the French army to recover Belgium (p. 157), and the curious statement (11 February 1815), *Il y a un certain esprit canaille qui tient au règne napoléonien* (p. 192). Unfortunately the correspondence is rather fitful and thin at the time when the news of Napoleon's escape from Elba became known at Paris and Vienna. Jaucourt's letters add nothing here, though he quotes an interesting report of M. Hermite, the maritime prefect at Toulon,

respecting the doings of Napoleon's little troop after landing at Antibes. Talleyrand, as is well known, thought nothing of the attempt; and we find him writing to Jaucourt from Vienna on 12 March 1815, *Je suis persuadé que l'entreprise de Bonaparte n'aura aucune suite fâcheuse, et qu'il ne sera point nécessaire de recourir aux puissances étrangères*. The tone of the letters of course changes very quickly. Jaucourt's letters, written at Ostend or Ghent, after 25 March, are pitiable; but the details of those weeks are already well known. The most interesting document of that time here given is that in which Jaucourt examines the different proposals for arousing France against Napoleon (pp. 388 ff.). The correspondence ceases on 17 May. It has been well edited, the biographical notes being concise but adequate; and there is an index of proper names. A note is, however, needed on p. 249 to correct Jaucourt's statement that Berthier was one of the few marshals and generals who remained faithful to Louis XVIII. His fidelity was of a negative type. He retired to his family, then in Bamberg, and shortly afterwards ended his days. He therefore scarcely deserves to be named along with Macdonald and others who did something for Louis XVIII during the Hundred Days. There are very few misprints in this volume, but Fanny Burney always appears as 'Burnet' in the introduction.

J. HOLLAND ROSE.

The Life and Letters of the First Earl of Durham. By STUART J. REID. (London: Longmans. 1906.)

THOSE interested in the history of Canada and of the empire have looked forward eagerly to this long-deferred publication. The author has had access to many unpublished letters, and also to a manuscript sketch of Lord Durham's mission to Canada, written by Charles Buller; but the general result is to establish, on stronger foundations, what was already known. Lord Durham's claim to eminence in general history rests on his Canada report; and therefore the first volume of this biography, which leaves him not yet appointed to the St. Petersburg embassy, deals with details on a scale out of proportion with the present importance of the subject. Mr. Reid's attitude of indiscriminating hero-worship tends to irritate readers who, with all their admiration, still recognise the foibles of the 'dissenting' minister. The tragedy of Durham's apparent failure in Canada is unintelligible, unless we realise the limitations in his character, which played into the hands of his adversaries. Nevertheless every impartial reader of the contemporary evidence here given must feel his admiration heightened both of the heart and of the head of Lord Durham. He is found moulding his own policy and impressing his brilliant subordinate. Buller's own account proves clearly how little Durham's actions and language were influenced by personal considerations. It is shown that the open assertion of the right of those exiled to the Bermudas to return to Canada, after the disallowance of Durham's ordinance, so far from being, as has been alleged, the mere outcome of temper, was made on the express advice of Buller, against Lord Durham's own inclination.

Mr. Reid, as was to be expected, has little patience with critics who have questioned Durham's authorship of his report. On the one hand we have the suggestion of Lord Brougham, a malignant enemy; the gossip of an unknown friend of Mr. Reeve, who repeated to him a remark of Mr. Hanson; and lastly a statement of J. S. Mill in his *Autobiography*, written many years later. On the other hand we have the evidence of Lady Durham that Lord Durham worked hard in the writing of his report; the internal evidence of the report itself, which establishes close similarity of style to other unquestioned despatches of Durham; and the express testimony of Buller, as well as the language of Durham himself, who in his last speech in parliament bore witness to the help he had received in preparing it from those by whom he had been surrounded. Buller, in an article in the *Edinburgh Review* (with regard to the authorship of which there is no question), denounced as 'a groundless assertion' the view that ascribed the report to others, and, according to Mr. Reid, expressed, in the unpublished sketch, admiration of its contents in terms which would have been absurd had it been his own handiwork. It would thus seem that the primary evidence is too strong to warrant such examples of the higher criticism as the elaborate apportionment of various sections of the report to Durham, Buller, and Gibbon Wakefield, made with great ingenuity and ability by the late Richard Garnett in the pages of this review.

There appears only one statement with regard to Canadian history which need be questioned. Papineau, we are told, 'acquired some political wisdom in his closing years.' So long as he mixed in politics he remained, as described by Lord Elgin in 1848, 'actuated by . . . irritated vanity, disappointed ambition, and national hatred.' At the same time it is true that in his later years he withdrew altogether from political life.

H. E. EGERTON.

Short Notices

THE nineteenth volume of the new series of the *Transactions of the Royal Historical Society* (London: s.a.) contains a paper by Dr. James F. Baldwin on 'The Beginnings of the King's Council,' which is useful as a collection of materials for the administration during the minority of Henry III. The results, however, are not clearly stated and the references need revision. On p. 89 'Walter Brunum' should be Brunus, if not Brown; and on p. 57 Joceline of Bath and Wells, instead of Ralph Nevill, is made bishop of Chichester. 'Bartolus and the Development of European Political Ideas,' by the Rev. J. Neville Figgis, is an able and highly interesting contribution to the subject with which it deals. Miss E. M. Leonard's learned paper on 'The Inclosure of Common Fields in the Seventeenth Century' calls attention to the way in which the process went on at a period in which it is usually considered to have been arrested. The other contents of the volume are 'The Beginnings of the Cistercian Order,' by Mr. W. A. Parker Mason; 'The *Denarius Sancti Petri* in England,' by the Rev. Dr. O. Jensen, who prints a series of documents (Urban IV–Leo X) from the Vatican registers; 'The Beverley Town Riots, 1881–2,' by Mr. Cyril T. Flower; 'Polydore Vergil in the English Law Courts,' by I. S. Leadam; 'The Case of Dr. Crome' [1540], by Mr. R. H. Brodie; and 'The English Occupation of Tangier, 1661–1688,' by Miss Enid Routh, who gives a useful list of authorities.

The twentieth volume opens with an important paper by Professor H. F. Pelham, president of Trinity College, Oxford, entitled 'A Chapter in Roman Frontier History.' It brings out from the work of the German Limes-Kommission the historical results of the recent exploration of Roman remains in the *agri decumates* and of the *limes* itself, showing how from the inscriptions and other discoveries it is possible to trace the stages in the occupation and fortification of the region between the Rhine and the Danube. Miss R. R. Reid's paper on 'The Rebellion of the Earls, 1569,' illustrates the general history by a detailed examination of the local and economic conditions which roused discontent with the administration of Cecil. The Rev. J. Willcock offers a severe criticism of 'Sharp and the Restoration Policy in Scotland.' Mr. J. F. Chance treats of 'The Northern Policy of George I to 1718,' largely on the basis of articles which have appeared in this Review. Dr. J. Holland Rose writes on 'Canning and the Secret Intelligence from Tilsit (1807),' and Sir Harry Poland gives the correct form of 'Canning's Rhyming "Despatch" to Sir Charles Bagot' (1826). Mr. Percy Ashley laments the neglect of 'The Study of Nineteenth-Century History,' and pleads

ably for its encouragement. Miss Violet Shillington writes on 'The Beginnings of the Anglo-Portuguese Alliance.'

Probably the editor of these volumes does not feel himself at liberty to interfere with the substance or the style of the communications contained in them, which are frequently in need of revision; but something might have been done to make the footnotes less disorderly, not to say unintelligible (e.g. vol. xx. 177 n. 4). It would be a good thing in the future if the headlines, instead of repeating the same title, 'Transactions,' &c., gave the name of the contributor on the left-hand page. A.

English readers at least will be thankful for the changes which mark the opening of the third series of the *Historische Zeitschrift*, still known familiarly by the name of its founder, Heinrich von Sybel. German type has been exchanged for Latin, and we have no longer the highly glazed paper and flimsy wrappers of the old series. A perhaps questionable advantage is the increase in size, which will make the two volumes published in a year extend to 1440 instead of 1152 pages. It might be a good thing if the short notices (*Notizen und Nachrichten*), which give by far the best survey of the contents of periodical and minor literature with which we are acquainted, could be published and indexed separately: for reference they are invaluable. The first three numbers of the new series (vol. xcvii. of the whole) include articles by E. Troeltsch on the significance of protestantism for the formation of the modern world, by O. Hintze on the epochs of evangelical church reform in Prussia, by M. Ritter on the fall of Wallenstein, by P. Sakmann on the problems of historical method and of the philosophy of history in Voltaire, by H. Glagau on the fall of Turgot, and by F. Meinecke, the editor, on Prussia and Germany in the nineteenth century. On pp. 553 f. G. Caro calls attention to two entries in the Norman exchequer roll for 1195, which he thinks have not been turned to account for the history of the payment of Richard I's ransom. But they are in fact duly quoted by Bishop Stubbs in his account of the business in the preface to Hoveden, iv. p. lxxxvi, note 2. We regret that the table of contents is no longer printed on the outside of the wrapper. B.

The bulky *Catalogue of the Greek Coins of Phrygia*, by Dr. Barclay V. Head (London: published by order of the trustees of the British Museum, 1906), brings to a close the author's share in the great series with which his name is so honourably associated. The British Museum collection of Phrygian coins has increased from 700 examples in 1878, when these catalogues began to appear, to 2,148 described in this book. Secluded by its upland character, and Hellenised late and very gradually, Phrygia exhibits no early coinage of its own; under Persian rule Persian currency seems to have met its simple needs, and even after Alexander the new Seleucid and Attalid settlements effect no change. When the kingdom of Pergamum was enlarged by the addition of Phrygia and other easterly provinces, in 190 B.C., cistophoric mints were established at Laodiceia and Apameia; another arose at Synnada after 138 B.C.; and Cibyra was striking its own dynastic silver before its reduction in 84 B.C. A bare score of towns struck copper during the Roman republi-

can administration, and afterwards about sixty in all; but here, as in Lydia, where the conditions in Hellenistic and Roman times were similar, a large part was played by the provincial issues of Roman Asia, and earlier by the dynastic coinage of Pergamum. Phrygia thus offers few types of exceptional interest; the well-known Νωῆ coin of Apameia, the pictorial Athena and Marsyas of the same city (a well-preserved example), the four seasons (represented as children), and the curious 'earth and sea' group of Laodiceia, the pictorial Tyche and River God of Midaëum, and the curious symbolic lettering at the same place, the Pisidian-looking issues of the remote Sibidunda, the sketch of the marble mountain Persis at Synnada, the rider with double-axe, perhaps akin in origin to the 'Carian Zeus,' at Ancyra and elsewhere, and the remarkable Herakles pictures at Temenothyrae. The very curious Herakles and Eros (pl. xlvii. 11) is identified by Dr. Head for the first time, from an example acquired in 1897. It was formerly taken to be Herakles and the Hydra; but the little Eros is fairly clear, in the autotype plate. The inscriptions Δωριέων, 'Ιώνων, and even Δωριέων 'Ιώνων, on Roman coins of Synnada, are curious, and so is the frequent αἰρησαμένον, where an issue was made 'on demand of' one of the magistrates of the city. At Eumeneia alone we get εἰσαγγέλαντος 'on receipt of the report of' so-and-so. The phrase τὸν κρίσστην Νακολέων, applied to Herakles apparently, recalls a forgotten 'labour' at Nacoleia, and 'Euposia' (or in dialect Eubosia) throws a side-light on the Dionysia of Hierapolis.

J. L. M.

Dr. Hermann Peter has, after an interval of thirty-four years, published the second and concluding volume of his *Historicorum Romanorum Reliquiae* (Leipzig: Teubner, 1906). The collection of fragments differs but little from that contained in his small Teubner text published in 1883; but there is an appendix of 210 pages containing brief notices of the several historians from whose works the fragments are drawn. This is written in Latin which is far from elegant and in fact not free from solecisms, such as 'minimum etiam alium scriptorem' for 'at least one other writer' (p. xii, note 1), 'alteri parti logistorici nobis invisum est' for 'the second part of the treatise has been denied to us' (p. xli, note 1), and 'de Cascae alicuius libro nihil accepimus' for 'we know nothing of a book by any one named Casca;' but it contains some interesting matter, and occasionally shows a change of view on the author's part. Thus he now rejects the identification of the *Annales Volusi* of Catullus (xxxvi. 1) with the history of Tanusius Geminus. But with respect to the question of chief importance in later Roman historiography, viz. as to the general trustworthiness of the 'Historia Augusta' and the genuineness of the works quoted therein, Dr. Peter stands firm. The consequence is that the roll of Roman historians is swelled by the inclusion of a number of writers to whom biographies of emperors are ascribed in the 'Historia Augusta,' but whose very existence is in some cases open to doubt. A typical case is that of 'Acholius,' who is three times cited in the life of Severus Alexander. There is nothing in these quotations to excite suspicion; but in the twelfth and following chapters of the life of Aurelian the same historian is given as the authority for a

report of the proceedings in a council held by Valerian at Byzantium, which is among the most transparent of the forgeries with which the biography of Aurelian is packed. Not merely is it impossible to ascribe such a report to an historian of the third century A.D., but the title given to Acholius (*magister admissionum*) likewise betrays the hand of the forger; and the name itself is known as that of the bishop of Thessalonica at whose hands Theodosius the Great received baptism, and of a *praefectus annonae* in the fifth century A.D. (*C.I.L.* xiv. 157). We can, therefore, have little hesitation in regarding the supposed historian Acholius as a figment of the Theodosian epoch. While we regret, however, that Dr. Peter should not accept the results of modern criticism on the 'Historia Augusta,' we are glad to find that he takes no note of Kornemann's fantasies with regard to Lollius Urbicus (*Kaiser Hadrian*, p. 120 ff.).

H. S. J.

Mr. R. W. Leage's attempt, in his *Roman Private Law* (London: Macmillan, 1906), to give as simply as possible the subject-matter of the Institutes of Gaius and Justinian, following, in the main, the original order of treatment, was worth making, as there is for English students no satisfactory work of this kind. Dr. Hunter's elementary book is too slight, while the editions of the texts, such as Dr. Moyle's, excellent as they are, are apt, from the fulness of their notes, to discourage beginners. Mr. Leage's attempt may be said to be a thoroughly successful one. He has stated clearly and simply the law of the Institutes, avoiding controversy and showing good judgment where the evidence is conflicting. A few passages will need revision in the second edition, which will no doubt soon be called for. One or two criticisms on historical or jurisprudential points may be worth making here. There seems to be a confusion (p. 10) between the granting of *auctoritas* to comitial legislation and the independent action of the senate by means of *senatus consulta*. The doubt expressed (p. 11) with regard to *rescripta* considered as sources of law surely does not arise from Austinian difficulties about particular commands, but rather from the uncertainty as to their operation as general rules by way of precedent. The classification of *Edicta* (p. 12) is not merely illogical in itself, but will certainly be misleading to the beginner. When he finds the 'Edictum Tralaticium' co-ordinated as a 'kind of edict' with the 'Edictum Provinciale' and the 'Edicts of the Curule Aediles' he will not understand that the provincial and aedilician as well as the praetorian edict had a tralaticious part, and that there is no such thing as a distinct 'Edictum Tralaticium.' Wlassak (*Edikt und Klageform*) has pointed out more clearly than any one the three different senses in which the word *edictum* is used by Roman jurists, and in Mr. Leage's classification the word is used sometimes with one and sometimes with another of these meanings. With regard to the history of *pignus* note 2 on p. 161 appears to be inconsistent with the statement in the text, except on the impossible assumption that possession as such was not protected in the time of Gaius. There are some cases in which the author, in his anxiety to avoid controversy, has made statements which he would admit to be too definite for the evidence

(e.g. on p. 22 with regard to Julian's revision of the edict or edicts), but in respect to such matters there seems to be in an elementary work only a choice of evils, and one of the best features of Mr. Leage's book is the wisdom with which this choice has been exercised. Another of its good points is that, although the subject is very technical, it is written in language as simple as, consistently with accuracy, seems possible.

H. BD.

The *Analecta Bollandiana*, xxv. (1906), includes in fasc. 1 the Greek text of the Life of St. Athanasius of Mount Athos, edited by Father L. Petit on the basis of a manuscript of the monastery of Lavra. In fasc. 2 Father P. Peeters examines the literary history of the legend of Saidnaia, near Damascus, in connexion with a recently published Arabic homily on the subject. The Greek original of this homily is shown to be the basis of the various western accounts preserved in Burchard of Strassburg's *Iter ad Terram Sanctam*, Thietmar's *Epistola*, and the so-called *Narratio Patriarchae Hierosolymitani*. To fasc. 3 Father H. Moretus contributes the text of a short narrative by one Adelbert, monk of Monte Massico, from which Peter of Monte Cassino derived a portion of his Life of St. Martin of Monte Massico, and Father A. Poncelet a new and important, though fragmentary, Life of Leo IX, both from manuscripts of the eleventh century in the Vallicellan library at Rome. The same number contains also an unpublished life of St. Bernardino of Siena, by a contemporary Franciscan, edited from a Paris manuscript by Father F. van Ortrov. (This has been independently edited by Father F. M. d'Araules, Rome, 1906.) In fasc. 4 Father A. d'Alès examines the two Lives of St. Melania, the Greek and the Latin, with the conclusion that they are founded on a common original; and Father C. de Smedt, in connexion with a recent work by Canon Chevalier, sets out the evidence for the translation of the Santa Casa to Loreto, which is not traceable before about 1472.

C.

Le Moine Guibert et son Temps, 1058-1124, by Bernard Monod, membre de l'Ecole Française de Rome (Paris: Hachette, 1905), is an unpretending but useful little book. Autobiography is a form of literature not much practised in the middle ages, and the little that we have is the more precious. Biography, written chiefly from the hagiographic point of view, in place of bringing the reader to close quarters with its subject as a man, too often seeks to remove him to a superhuman pedestal. This perhaps explains why M. Gabriel Monod holds that the impulse which first led him into the field of history in which he has won so distinguished a position was provided by an early study of Guibert's *De Vita Sua*. The fact, as he tells us in a touching note prefixed to this book, was known to his son, a promising young student who died of a rapid consumption just after he had left the Ecole des Chartes for the French School at Rome, and it was specially as a pleasant surprise for his father that he wrote this book, as well as because the subject of his diploma essay had made him acquainted with the period. Guibert of Nogent in his *De Vita Sua* gives us an excellent idea of a man typical of the eleventh century both in the intellectual strength and inde-

pendence with which he tackled dangerous problems and in the weakness and unreadiness of character which made the man of thought so ineffective when opposed to the men of action in the crises of his career. But as a writer he has his share of the tediousness of monastic authors. He models himself on a dangerous book to imitate, the Confessions of St. Augustine, of whom it may be said, as of Aristotle, that, whatever the effect of his authority on the matter of medieval learning, his effect on the form of medieval literature was almost certainly bad. There was room then for an *étude*, written as well-educated Frenchmen are taught to write, giving just the essential parts of what Guibert tells us of himself and his times, with such slight criticism as may serve to make us acquainted with the writer's personal equation. Such a work is not much concerned with anything beyond the *De Vita Sua* in Guibert's writings, for the *De Pignoribus Sanctorum* has been the subject of a monograph by M. Lefranc, to which those interested in the growth of relic-mongering practices and Guibert's spirited protest against them will turn, while the *Gesta* have been elucidated for specialists in the history of the crusades by M. Thurot. These requirements M. Bernard Monod's very readable book satisfies very well, though it makes no pretence to original discoveries or extensive illustration from outside sources.

J. P. G.

The first part of Dr. Karl Weller's *Geschichte des Hauses Hohenlohe* (Stuttgart: Kohlhammer, 1904) extends to the year 1250. It is based on the archives of the family, which are preserved at Öhringen, and of which Dr. Weller has already edited two volumes (from 1158 to 1850) at the request of the princes of Hohenlohe. The present volume is chiefly concerned with political and biographical narrative, especially for the reign of Frederick II, while a second volume will deal with the legal and constitutional questions which arise out of the documents on which this narrative is based. Dr. Weller believes that the activity of the Hohenlohe family in the thirteenth century is so many-sided that an account of its manifestations must needs throw a fresh and vivid light on the history of that period. To some extent this is true. Two at any rate of the Hohenlohe brothers of the thirteenth century are figures worth remembering. There is Godfrey, something of a statesman, and as such helping to guide the young king Conrad in the administration of Germany, but also something of a poet, the friend of *Minnesinger*, and the author of a compendious Arthurian poem. There is also Henry, Godfrey's brother, and the friend of Hermann of Salza, who became high master of the Teutonic Order in 1244, and steered its policy in the troubled years that followed, standing neutral between pope and emperor (though, like his great predecessor, he inclined to the latter), and maintaining the prestige of his order against Pomerania and Poland. But though interesting figures like these may appear on the canvas the history of a prolific family like the Hohenlohe cannot but be somewhat cinematographical; and it is only to the quick-eyed specialist (or to family pride) that Dr. Weller's book can appeal. Yet, after all, these primitive Hohenlohe memoirs have at least as much matter for edification as memoirs of a later date.

E. B.

The editions of the works of St. Francis by the friars of Quaracchi (1904) and by Professor Boehmer (1904) have been quickly followed by excellent translations into French by Father Ubald d'Alençon, *Les Opuscules de S. François d'Assise* (Couvin: maison S. Roch, 1905), and into English by Father Paschal Robinson, *The Writings of St. Francis of Assisi* (Philadelphia: the Dolphin Press, 1906). The English translation is almost as good as a critical edition. Both translators have a thorough knowledge of the recent literature of the subject, and where they touch on controversial points they both show modesty, good temper, and sound judgment. In the French edition several of the doubtful works attributed to St. Francis are given, among them the *Rule of Tertiaries*, recently published by M. Sabatier. It may be noticed that none of the recent editions make any reference to the formal letter of St. Francis appointing Agnellus minister of England, the original of which was preserved in the episcopal palace of St. Omer in the time of Christopher Davenport.

A. G. L.

Professor G. des Marez, writing on *Les Luittes Sociales à Bruxelles au Moyen Age* in the *Revue de l'Université de Bruxelles* (January-February 1906), gives a popular account of the whole trend of the struggles of the Flemish craftsmen to obtain economic political enfranchisement. The article is not confined to Brussels, though the author's minute knowledge of the conditions of trade in medieval Brussels is of course drawn upon. In thirty-five pages a lucid summary is given of the whole series of revolutions and attempted revolutions from 1225 to 1477, which were necessary to win admission to a share of municipal control for the tradespeople who were well to do but not of the 'lineages.' The writer points out that the democratic party at no time consisted of a very humble class; only the fairly well to do could afford to engage in the pursuit of economic ideals. It has to be candidly admitted that the successes of the democratic party synchronised with the failure of the industry whose control was so eagerly sought. The admission of the 'nations' by the side of the 'lineages' led to no reformation of the system of the cloth trade, which became old-fashioned and unable to hold its own in the sixteenth century.

D.

In his thesis *Hof- und Zentralverwaltung der Wettiner, 1248-1879* (Leipzig: Teubner, 1902), Dr. H. B. Meyer gives a well-arranged and scientific account of the development of territorial sovereignty in the mark of Meissen and the landgraviate of Thuringia during the period of their union under a single dynasty. The thesis is based on the documentary evidence of the Dresden archives. Dr. Meyer has used his materials carefully, and has refused to supplement the original evidence for the period of which he treats by evidence of a later date, lest he should give a false impression of greater system and fuller detail in the administration than actually existed. After an introduction sketching the main lines of the development of territorial sovereignty in the lands belonging to the Wettin house, he deals with the central administration, the local and central organs of justice, and the system of finance; and in four

appendices he gives a number of documents relating to the various occupants of the different offices, the expenses of the court, the *itineraria* of the Wettin princes from 1824 to 1879, and similar subjects. The reviewer (who desires to apologise to Dr. Meyer for the delay in his review) finds nothing in the book which he needs criticise and much from which he can learn. Dr. Meyer's thesis may be commended to those who wish to study the early beginnings of the German principalities in a typical instance, and to trace, e.g., the steps by which a privy council was developed from the *familia* of the prince, or the metamorphosis of the old popular judicature of the *Landdinge* and their *Schöffen* into the official court under the *Vogt*.
E. B.

The fourth volume of the *Inquisitions and Assessments relating to Feudal Aids, 1284-1481* (London: H.M. Stationery Office, 1906) deals with the shires of Northampton, Northumberland, Nottingham, Oxford, Rutland, Salop, and Somerset. Save for the scantiness of the Northumberland entries, proportion is better preserved in the records embodied in this volume than in some of the preceding ones. Somerset alone exceeds the measure through preserving assessments nearly threefold as minute as those of the other counties here dealt with. Yet the Somerset documents are hardly as full as those transcribed in previous volumes concerning Lincolnshire and Norfolk. In the preface attention is called to the neglected evidence of the *Chronicon Petrobургense* (Camden Society) that the date of Kirkby's Quest for Northamptonshire was 1284. In the text perhaps the most interesting thing is the different ways in which the officials dealt with the franchises in Northumberland and Shropshire; and the detailed study of the returns for the latter county will throw some light on the curiously shifting western boundary of the shire between the Edwardian conquest of Wales and the Act of Union of Henry VIII. The indexes are numerous and full, and are generally careful. In the index of tenants it is a pity that more pains were not taken to give the modern forms of surnames. A few rather obvious ones are reduced to their present shape, but nearly all those difficult to identify, and some that are easy, are left in Latin without any cross-reference to a more intelligible equivalent. A few place identifications are wrong. In one case the Rutland returns are unnecessarily corrected by the index-maker, who suggests that the alien monastery which owned a local manor was not 'Saint-Georges de Boscherville,' but 'Saint-Martin de Boscherville.' Of course the scribe was right, for St. George was the name of the monastery, though St. Martin is the name of the commune in which it is situated. On p. 590 'Wainhill in Bledlow' is described as in Northamptonshire, instead of Oxfordshire. But these are trivial slips and inevitable in so elaborate an index. There is an amusing mistranslation on p. 604 of an entry on p. 1, but the one really bad mistake I have noticed is that which identifies Richard FitzAlan's honour of *Album Monasterium* with Whitchurch. It is hard to understand how any one who has worked through a mass of Shropshire records could fail to see that Oswestry is meant.
T. F. T.

Mr. W. H. Stevenson's calendars always represent such a high level of scholarship and such minute care in detail that it is unnecessary to do more than record the publication of another volume of the admirable *Calendar of the Close Rolls* of the reign of Edward I (vol. iv. 1296-1302. London: H.M. Stationery Office, 1906), and to express the regret that the immense mass of knowledge that the compiler has accumulated during the course of their preparation should have no opportunity of manifesting itself in an introduction of the liberal character such as was allowed to some of the earlier editors of post-medieval calendars. The index made by two other members of the staff 'with assistance from Mr. Stevenson' is nearly as good as the text, and there are few of those irritating misidentifications of proper names that reduce the standard of scholarship in some less carefully compiled numbers of the deputy keeper's great series. It is impossible to attribute to Mr. Stevenson the recrudescence in this index of an ancient misidentification of Lampeter with Llanbadarn, against which the present writer has made many a protest during the past twenty years. On p. 700 of the index we have the entry 'Lampeter [co. Cardigan], bailiffs of, 122.' If we turn to the text we see that the reference is to the 'bailiffs of Lampader,' which is the ordinary form for Llanbadarnvawr—that is, Aberystwyth. The blunder is the more obvious since the writ is addressed to officials of ports, and even medieval ships could not sail up rapids and salmon leaps to an inland town nearly 400 feet above the sea. That the error is a mere slip is shown by consulting the index under Llanbadarn, where the same entry is correctly given. But it seems as hard to remove traces of this inveterate error from the official calendars as to eliminate references to the pseudo-Ingulf or Richard of Cirencester from local histories.

T. F. T.

The fifth section of the abbé Mollat's *Lettres Communes de Jean XXII* (Paris: Fontemoing, 1905) offers few opportunities for comment to English historians. The number of entries relating to England is not very large, and the names of persons and places are, as usual, somewhat strangely perverted. It is a pity that the chaplains of St. Louis des Français make so little use of the extracts already published; they might spare a certain number of errors by such a course. The great thing, however, is that the work is done rapidly and on the whole well. We may note the entries relating to the citation of Robert Bruce for breach of truce, and a receipt from the college of cardinals for their share of Edward I's tribute of 1,000 marks, as also the fact that the Peruzzi were already the pope's bankers for England. Among the curiosities of the year (1819-20) there is a case of an archbishop (no. 10862) who pawned his *pallium*, and of a king of Armenia whose self-denial (no. 11855) was endangering his kingdom. There is a curious case of a marriage dispensation (no. 11008) *publice honestatis causa*, where a man married the daughter of his previous wife. It is also strange to find that a Dominican (no. 11847) had incurred bloodguiltiness by telling the guards to be careful with a prisoner who was afterwards executed. In another letter (no. 10947) the pope alludes to his old diocese of Fréjus as *olim sponsa nunc filia*, which is a pretty touch. We may remark in conclusion that the letter (no. 11885) relating

to the Dominican sisterhood at Langley is inadequately summarised; but this is a rare case in this useful volume. C. J.

Dr. Ernst Vogt's *Erzbischof Mathias von Mainz, 1821-1828* (Berlin: Weidmann, 1905), is a careful study of a not very interesting prelate. Archbishop Mathias necessarily played some part in the struggle between Lewis the Bavarian and John XXII. His appointment was due to an intrigue between Frederick of Hapsburg, Robert of Naples, and the pope. Fear of the ambitions of his neighbour, the landgrave of Hesse, caused him, however, to remain outwardly respectful to Lewis until the latter's departure for Italy. Then he could not only wage a successful war with the landgrave, but openly take the part of the pope in the search for a new emperor. His policy was, in fact, wholly dictated by the territorial interests of his see. Dr. Vogt makes an earnest attempt to rescue his hero from the charge of political incompetence. We do not feel that he secures for him more than a reputation for charity and continence. The real value of the book lies in the picture which it gives of the condition of fourteenth-century Germany. The fatal glamour of the imperial crown ensured the predominance of sectional or personal interests, and permitted the final subjection of the German church to the French bishop of Rome. G. B.

In the *Anzeiger für Schweizerische Geschichte* for 1906, no. 2, Herr Rudolf Luginbühl writes on the two unpublished Swiss chronicles of Christof Hegner (probably written between 1548 and 1548 and of little value) and of his father, Gebhard Hegner, both town clerks of Winterthur, and gives extracts of local interest from the latter work ranging from 1218 to 1598. E.

Professor Otto Waltz's little tract on *Fr. Bartolomé de las Casas: eine historische Skizze* (Bonn: Hager, 1905) is very interesting. The memory of Las Casas is often and wrongly connected with the beginning of the slave trade; his untiring labours for the natives of South America and his advanced views upon personal freedom are forgotten. But in the fact that he declared personal liberty to be an inalienable right, that his dislike of slavery was based upon principle, not upon sympathy—facts clearly proved here—lies his special claim to distinction. His political workings for the objects of his care and his relations with statesmen (well summarised in Mr. Armstrong's *Charles V*) are concisely sketched. The whole study is well worked out. J. P. W.

The Royal Saxon Commission for History has published a handsome volume containing excellent reproductions of *Die ältesten gedruckten Karten der sächsisch-thüringischen Länder (1550-1598)*, edited by Victor Hantzsch (Leipzig: Teubner, 1905). The originals mostly date about 1570. The maps have much historic interest as well as importance in the history of geographical science. They are accompanied by simple but business-like explanations. The patriotism that so specially marks the Saxon territories is well illustrated by them, specially perhaps for

the county of Mansfeld ; the occasional verses and portraits (such as one of Luther) that adorn the volume speak of these feelings of local pride.

J. P. W.

The letters contained in the *Correspondencia de la Infanta Archiduquesa Doña Isabel Clara Eugenia de Austria con el Duque de Lerma, 1599-1612*, edited by A. Rodriguez Villa in the *Boletín de la Real Academia de la Historia*, vols. xlvii.-xlix. (1905-6), are full not only of interest but of charm, and will inevitably recall the delightful correspondence of the infanta's father, Philip II, with his children in earlier years. They are written in the most intimate style to the old family friend of the royal house, then virtually first minister in Spain, and contain references to all the current gossip of the events of Madrid and Brussels, love affairs, marriages, dancing, and shooting. One of the longest and liveliest letters describes two extremely bad shots made by the archduchess herself with a cross-bow at stags in the park at Marymont ; in another she eulogises the terriers (*tereres*) employed for the earths of underground game. She had, indeed, a passion for the country and its life. Pity and amusement are mingled in the descriptions of her most embarrassing guest, the princess of Condé, a fascinating, susceptible young creature, with no moral sense from bad upbringing. She cried as much at leaving her gaoler hostess as on arriving, and tearfully promised amendment in answer to Isabella's final sermonette. The archduchess dwells with ironical indignation on the most preposterous of all wars, which was being forced upon her by the lust of the disreputable French king ; she has difficulty in concealing her pleasure at his assassination. She writes too that Elizabeth of England drove the Netherland government nearly as mad by contradictory reports of her death as by the ambiguities of her policy during life. Great hopes are expressed of the friendliness and ultimate catholicism of James VI. The *pièce de résistance* of the letters is, of course, usually the slackness of the Spanish government in sending supplies and troops, the sufferings of the provinces ravaged by mutinous defenders and fanatical raiders, the difficulties entailed by the loss of the sea power. While she speaks frankly of generals incompetent from age or circumstance she has high praise for the genius of Spinola. It is a pity that Isabella's delightful account of her journey from Milan to Brussels, including the passage of the St. Gothard, should have been reserved for the last number, for it gives the key to the gay side of her nature. Yet it helps to leave the reader under the spell of a strong and sympathetic personality, confirming the impressions created by the charm of the well-known portrait. Had the archduchess left an heir or heiress as well equipped with courage, resignation, good sense, and humour as herself, a prosperous Belgium might have been antedated by two centuries and more. The author's valuable introduction, together with further documents, will be found at the close of the series in the number for last September.

E. A.

The abbé P. Feret continues his learned and useful work upon the history of the theological faculty of Paris. The present volume (*La Faculté de Théologie de Paris et ses Docteurs les plus célèbres, 'Epoque*

Moderne,' tome iv, 'XVII^e Siècle; Revue Littéraire.' Paris: Picard, 1906) consists entirely of a catalogue of the theologians and ecclesiastical writers of the seventeenth century, with notices of their lives and works. The book is intended rather as a work of reference than as a book to be read continuously, but much curious reading will be found in its pages. As a specimen the following account of Pierre de Besse, a court preacher of Louis XIII, may be quoted. This was the style which in the Lent of 1602 'faisait courir tout Paris à ses discours:—

Rappelant les grands capitaines de l'antiquité qui veillaient sur leur armée, le prédicateur s'écrie: 'Et voici bien un autre César, un autre Annibal, bien un autre Philippe; c'est Jésus-Christ qui, portant en trousse tous les péchés du monde, veille aujourd'hui dans le jardin des Olives.' Si Jésus s'avance au-devant de ceux qui viennent pour l'arrêter c'est un 'Scévole,' qui 'ne craindra pas de mettre non pas le bras seulement mais tout le corps dans les flammes d'une passion; c'est un 'fidèle Zopyre,' qui sera blessé, mutilé, navré, couvert de mille plaies; c'est un Codrus,' qui 'a changé d'habit, de Dieu se faisant homme, afin de mourir pour sa patrie.'

This is followed by a parallel between Christ and Curius Dentatus.

H. R.

The Illustrated Catalogue of a Loan Collection of Portraits of English Historical Personages who died between 1714 and 1887, exhibited in the Examination Schools, Oxford, April and May MDCCCXVI (Oxford: Clarendon Press), as compared with typical specimens of the same class, shows what can be done by 'mixing your colours with brains.' The description of the pictures themselves are as full and minute as possible; the biographical notices of the subjects consist of a minimum of necessary dates, with just a line or two here and there from a contemporary diarist or letter-writer to add a living appreciation to a dead presentment of character. Many of these quotations are most felicitous, and make one emulous to cap them; we will be content here with suggesting that the best note to Archbishop Stone of Armagh (no. 69) would have been his nickname, 'The Beauty of Holiness,' and that some notice should have been taken of a curious point in his portrait, viz. a band of gold lace on the left wrist with something like a fringed maniple apparently connected with it. Similarly, the collotype reproductions are not only well chosen but executed with the usual intelligence and finish of the Clarendon Press; they include all three of the portraits of Gibbon which formed the adventitious part of the exhibition this year, with those of Wesley and Whitefield and fifty-five others. As this volume is published at 6s. these admirable illustrations, many of pictures neither engraved nor photographed before, cost about one penny each, with the letterpress thrown in. This year the compilers have allowed a few alterations from the catalogue as first issued; they might have dealt more boldly with the evil custom of leaving in the final stage information uncorrected or deficient even where interesting discoveries have been made in the course of an exhibition. Here, for instance, no. 89 (William Gower) might at least have been 'attributed' to Gainsborough, as it is in a letter by the donor to Worcester College. Of the show itself it may suffice to say that its interest lay not so much in the fine specimens of Reynolds, Gainsborough,

Romney, Ramsay, Opie, and Lawrence, excellent as these were, as in the often admirable examples of less known painters, such as Tilly Kettle, W. Owen, Hoppner, and the Bath pastellist, Lewis Vaslet. Finally, the one piece of information missing from the book should be supplied here by the mention of the names of its learned compilers, Mrs. R. L. Poole and Mr. C. F. Bell.

H. E. D. B.

Fewer biographies have been written of Henry, Cardinal York, than of the rest of the Jacobite 'kings,' and in this way Mr. Herbert M. Vaughan's *Last of the Royal Stuarts* (London: Methuen, 1906) is welcome. The author has put together whatever is worth knowing about the rather uneventful career of 'Henry IX,' and his account will be read with interest as the history of one who himself said to his page of honour, Sir John Hope, 'The history of the Stuarts ends with me.' It is pointed out that the weight of the blow that the Jacobite cause experienced by its younger prince entering the church was understood by Prince Charles Edward alone, his father being dazzled by his second son's promotion to the cardinalate and the ecclesiastical wealth which was heaped upon him; and that this wealth was envied may be seen from a letter of Edward, duke of York, to Lady Mary Coke. Mr. Vaughan mentions the influence that accrued to Prince Henry from his position as archpriest of the Vatican, and it would be of interest to have had a list of the books issued then in his name. The disputes between the countess of Albany and her husband fill the central portion of the book until the death of his brother gave the cardinal a titular crown. His latter years were disturbed and made poor by the approach of the French, and then ameliorated (through Sir John Coxe-Hippesley, himself, though it is not here stated, connected by marriage with Clementina Walkinshaw) by the bounty of George III. A good account is given of the cardinal's place as an historical figure. Genius is not claimed for him, but his piety, bounty, and kindness are pointed out, and the author perhaps wisely omits to quote the ill-natured gossip of Henry Swinburne. The story of the Sobieski Stuarts is not derived from the most recent sources of information, but enough is given to disqualify the pretensions of these dreamers. The book is illustrated with pictures of the exiled Stuarts, their contemporaries, and their interesting medals. It is perhaps a pity that the portrait of the duchess of Albany has been taken from the familiar one at Cullen House and not from a similar but less known picture in the Musée Fabre at Montpellier.

A. F. S.

A full catalogue of works relating to Louis XVI has long been needed, and M. Armand Granel's *Louis XVI et la Famille Royale* (Toulouse: Privat; Paris: Picard, 1905) is a bibliography of some 8,000 volumes. He has printed the titles of all the works dealing with Louis XVI, Marie Antoinette, and Louis XVII themselves, and of all the books and printed papers which connect Louis XVIII, Charles X, and the other members of the Bourbon family with its head. The bibliography is divided into years of publication, and though the wisdom of this plan may be gravely doubted in view of the absence of any kind of index, M. Granel is to be congratulated on the completion of a task which, though extremely

useful, cannot by any stretch of imagination be called interesting. The misprints are occasionally serious; thus on p. 15, 1758 should surely be 1778, and the compositor has been allowed to run riot with English and German to such an extent that occasionally it is impossible to understand what is intended (see especially p. 277). L. G. W. L.

Signor Francesco Lemmi claims for his volume on *Le Origini del Risorgimento Italiano* (1789-1815) (Milano: Hoepli, 1906) that it fills a gap in Italian literature, which previously contained no one short book on the period suitable for the general reader. Popular treatises on modern Italian history are, indeed, apt to deal with the *risorgimento* rather than with the events which preceded it, and the results of this limited method are apparent in the writings, speeches, and ideas of the new generation in Italy. The author seems well fitted for his task; he is neither rhetorical nor dry; he knows the facts, and he narrates them clearly and pleasantly in six well-defined chapters, each corresponding to a fresh stage in the revolutionary movement. At the outbreak of the French Revolution Italy consisted of the four ancient republics of Venice, Genoa, Lucca, and San Marino; the kingdom of Sardinia and that of the Two Sicilies; the Papal States; the grand duchy of Tuscany; the two duchies of Parma and Modena; the Austrian possessions in Lombardy; and the principality of Monaco. Of these twelve states one alone, little San Marino, 'preserved as a specimen of a republic,' was unaffected by the political earthquake which ensued. Savoy and Nice in 1792, Monaco in 1798, were annexed to France; Venice became an Austrian province, her ancient rival a democratic commonwealth; Rome abolished the temporal power and revived the names, without the reality, of the classical republic. Then republicanism makes way for the monarchical creations of Napoleon; the kingdom of Italy is revived to gratify his ambition, the temporal power again abolished, Rome incorporated with the French empire, and Naples transferred to the emperor's creatures. Of all the mistakes of Napoleon the author considers his treatment of Pius VII to be the worst, whereas he describes the concordat as 'a political act of capital importance.' The assault on the Quirinal, the material loss involved by the withdrawal of the papacy, the moral shock to the popular conscience outweighed improvements effected in Rome by the French during their five years' occupation. At the same time he admits that those improvements were remembered after the restoration as a proof of what might be accomplished by a secular administration. Despite the many ephemeral productions of the Napoleonic period in Italy, it prepared the way for the events of 1848 and 1859. The treaties of 1815 might leave Italy divided into ten states; but the people had learnt a lesson which was not forgotten, and in this sense Napoleon may be regarded as one of the founders of Italian unity. W. M.

In a note added to the preface of the second edition of *La Terreur Blanche: Episodes et Souvenirs* (1815) (Paris: Hachette, 1906) M. Ernest Daudet states that he has nothing to add and nothing to omit in presenting this reprint of a work published in the year 1878. The assertion is not quite satisfactory. Very many facts have been brought to light

since that time. To cite only one work, M. Henry Houssaye, in his *1815 ; La Seconde Abdicacion ; la Terreur Blanche*, has collected materials which demand some notice in any volume dealing with that period. In truth M. Daudet's work suffers somewhat by comparison with that of M. Houssaye. It is prolix and abounds in details of merely third-rate importance. Further, there is little or no attempt to rise above the sordid details of that sanguinary time and to realise their significance. No attempt is made to estimate the numbers of the slain—a matter respecting which the statements of partisans have been singularly reckless. The account of the capitulation of Bordeaux to General Clausel, as told in chapter i., is out of place. The description of the murder of General Ramel at Toulouse, with which the book concludes, extends to sixty-seven pages. M. Houssaye presents all the essential parts of the story and of the disorders at Toulouse in seven pages. J. H. RE.

The constitution of the modern German empire and the title borne by the German emperor form the subject of two careful pamphlets, *Die Kämpfe um Reichsverfassung und Kaisertum* and *Der alte Reichstag und der neue Bundesrat*, written by Dr. Wilhelm Busch and Dr. Heinrich Reincke respectively (Tübingen: Mohr, 1906). Dr. Busch describes the familiar struggles which raged over the making of Germany—the opposition of the Bavarian catholics, the strongly national feeling of the Badenser, the order of King Lewis II that no flags should be hoisted at Munich in honour of Sedan, the hostility of the old king of Prussia to the imperial title, so ardently advocated by his son, and the constant quarrels between the monarch and his overworked and irritable chancellor, all ending happily in the accomplishment of German unity under a German emperor. Dr. Reincke shows how in many respects one element of the modern German constitution, the *Bundesrat*, may be traced historically from the old *Reichstag* of the Holy Roman Empire. His most interesting point is the strong resemblance between the modern office of imperial chancellor, first held by Bismarck, and the medieval dignity of *Erzkanzler*, held by the archbishop of Mainz. W. M.

In his *History and Criticism of the Labour Theory of Value in English Political Economy* (New York: Columbia University Press, 1904) Mr. Albert C. Whitaker has made a searching examination of the different phases which the theory has undergone in the hands of successive economists. The reader will appreciate the thoroughness with which the actual language employed by the older writers has been scrutinised, and of the great ability of their latest critic it is impossible to feel any doubt. But two dangers at least attend such work as has been attempted in this monograph; and we do not think that the author has succeeded in securing immunity from either. The one is that we may read our knowledge of the present into the writing of the past, and the distinction drawn here between the 'philosophical' and the 'empirical' account of value seems to us to be more appropriate to the more refined atmosphere of speculation prevailing in economic circles to-day than to the rougher environment of tentative reasoning in which some at least of the earlier economists necessarily formed and expressed their ideas. The other

and consequent danger is that we may do an unintended injustice to them. We could have wished that Mr. Whitaker had been more sparing of the reflexions which he makes on the inconsistencies or confusions of the authors whom he criticises ; and we have a feeling, which may be right or may be wrong, that American students of economics might occupy their unquestionable capacity and remarkable enthusiasm more profitably than with such minute commentary as is here bestowed on the detailed discrepancies of older authorities. The use or perversion, however, of the labour theory of value which has been made, unjustifiably, as Mr. Whitaker shows, by socialist writers may perhaps in this particular instance furnish a sufficient excuse for the great trouble which has manifestly been given to the work. It is certainly, within the limits which the author has set himself, exhaustive. L. L. P.

Frederick York Powell : a Life and a Selection from his Letters and Occasional Writings (Oxford: Clarendon Press, 1906) is the fitting memorial which Professor Oliver Elton has raised to a man of conspicuously original powers, of varied acquirements, and above all endowed with a rare 'genius for friendship.' The book brings out with fine judgment and skill Powell's love for literature, folklore, and art, but is less successful in showing that history was his special province. That he could have become a great historian is not unlikely ; his *English History to 1509* has remarkable qualities ; but his complete estrangement from religion and philosophy must have hindered him from understanding the deep underlying problems of history, and, indeed, he never made the attempt. He was distracted by the versatility of his temperament and by the wide range of his interests. Mr. Elton, we think, takes Powell's opinion, which he criticises, that history is 'an absolute science, as much as, for example, botany,' far too seriously. Certainly Powell's own occasional writings in the second volume do not indicate that he himself applied the doctrine in practice. The historical pieces, most of which are reprinted from newspapers, often fail to justify the expectations aroused by Mr. Elton's prefaces ; and a good many of them might with advantage have been omitted. The important part which Powell took in the establishment of this Review is described in vol. i. p. 84 f. F.

Professor W. W. Skeat's pamphlet on *The Place-Names of Bedfordshire* (Cambridge Antiquarian Society, 1906) contains only seventy pages, but it must have cost the author a good deal of labour. It discusses the etymology of about three hundred names. Besides the pre-Conquest charters and Domesday Book a large number of other records have been systematically searched for early forms. In many instances the evidence thus collected is sufficient to establish the etymology beyond reasonable doubt ; and where certainty is not attainable Professor Skeat's conjectures are for the most part likely. A point of some historical interest is the identification of Luton with the Old English *Lygetūn*, which seems to be well made out. Now and then Professor Skeat's suggestions appear to be open to objection. The first element in Thurleigh cannot well be the name of the god Thor ; apart from the improbability of the occurrence of the Scandinavian form in this district (and in com-

bination with the native *lēah*) the name of the god ought on this hypothesis to be in the genitive. It seems unlikely that *Ting-* in Tigrith and in the Yorkshire Tingley can represent the Scandinavian *thing*. No doubt *þingvöllr* becomes Tingwall in Shetland and Tynwald in the Isle of Man, but the Scandinavian names in England retain the original *th* unchanged. Professor Skeat thinks that Sextons (in Domesday *Segresdone*) is a corruption of the Norman personal name Secrestein. This does not appear possible; the Domesday form looks like an Old English *Sēgāres-dūn*. Stagsden (Domesday *Stachdene*, *Stachedene*) can hardly come from the French name Eustace: the modern pronunciation seems to show that the Domesday *ch* had in this name its normal value of *k*. There are several more of Professor Skeat's interpretations with which we are unable to agree, but the pamphlet is valuable, not merely on account of the many sound etymologies which it contains, but still more on account of its collection of the early documentary forms of the names.

H. By.

Mr. Arthur L. Humphreys's two handsome volumes entitled *Somersetshire Parishes: a Handbook of Historical Reference to all Places in the County* (London: 187 Piccadilly, 1906) contain a large number of references to notices of the parishes and districts of Somerset to be found in various books and in archaeological and other journals. The references for each place are arranged under headings such as Actions [at Law], Biographical, Charters, Churches, Registers, Wills, &c. Unfortunately there are so many omissions and so many superfluous entries that the labour involved in this compilation has to no small extent been wasted; indeed, it is impossible to guess on what system, if any, the book has been put together. Mr. Humphreys has not noted the information contained in the many volumes of the *Proceedings* of the Somersetshire Archaeological and Natural History Society, nor in most of the volumes of the Somerset Record Society; and all medieval authorities, save printed charters, are disregarded. Under 'Aller' there is no reference to Guthrum's baptism. Under 'Bath,' section 'Abbey and Cathedral,' Edgar's coronation does not appear, and though some charters are mentioned no reference is given to the two *Cartularies* printed by the Somerset Record Society, and in the section 'Churches' the *Accounts of the Churchwardens of St. Michael's*, edited by the Rev. C. Pearson, is likewise unnoted. Under 'Bridgwater' the only reference to the siege by Fairfax is '*Battle of B.*, 22 July 1645. Chronogram on (*Som. and Dor.* iv. 368).' The Glastonbury references do not include one to William of Malmesbury, and while Abbot Bere's name occurs in the biographical section, that of Abbot Whiting is absent. The only reference for St. Hugh under Witham is to an archaeological journal, and Miss Thompson's *Somerset Carthusians* is not mentioned. Instances of omissions might be multiplied endlessly. As regards superfluous matter it will be enough to say that, instead of simply referring to the various printed volumes of wills, Mr. Humphreys inserts a notice of each will, with the name of the testator and date; that entries are copied from the *Eton Lists* and *Harrow Register* relating to boys of no importance except to their own families, some living, others dead, whose fathers happened to be

residing in Somerset when their sons first went to one or other of these schools; and that the name of every Quaker tradesman or farmer who died in any parish during the last eighty years has a line to itself, though a general reference under each such parish to Mr. J. Green's *Quaker Records*, from which the names are taken, would have enabled the greediest searcher after things of this sort to satisfy his cravings for information. At the same time these volumes contain a good many references to notices of events and customs of local and, indeed, wider interest.

W. H.

Sir Walter Besant's *Medieval London* (London: Black, 1906) has unfortunately found no more capable editor than his *London under the Stuarts* and his *London in the Time of the Tudors*, two posthumously published collections which have already been noticed in this Review. We have but to repeat Professor Firth's comments upon the two earlier volumes: the third exhibits precisely similar errors of judgment and is equally full of mistakes in detail. In one short extract (derived from Madox's *History of the Exchequer* without statement of the source) we find 'tunnage' for 'tronage,' 'passage' for 'pesage,' 'Grass Cheap and Wool Church Haw,' for 'Gracechurch and Woolchurch Haw,' 'places' for 'pleas,' and 'the Waidarii and Ambiani or Corbye and Nule' for 'the woad merchants of Amiens, Corbie, and Nesle.' From an appendix which has every appearance of being Sir Walter Besant's own work it is made clear that he was not capable of leaving mistakes like these, which must be ascribed to another hand. In an appendix v., purporting to be a list of the principal householders of London, drawn up for purposes of assessment 12 Edward II, the particulars have again gone wildly wrong. The list seems to belong to the fifteenth century, but all its contents are not accounted for even then, for it includes payments from an 'abbot' of St. Michael's, Crooked Lane, an 'abbot' of Baylly Hall, an 'abbot' of the Minoreesses, and many other marvels. The book is very handsomely got up, and the illustrations are for the most part of real value, though the inclusion of fancy portraits of all kinds, the omission of adequate description of the source from which the illustration has been obtained, and the selection of subjects unconnected with London are matters for regret. A rough list of London streets under their medieval names makes an attempt to supply something that is really needed.

G.

Mr. Richard Davey describes his *Pageant of London* (2 vols. London: Methuen, 1906) as not an exhaustive history of London, but a series of word pictures of the principal events that have happened in the metropolis. The title is, for its purpose, happily chosen, and if Mr. Davey's whole intention was to produce a readable book he has, except for a few lapses of taste, like that which disfigures p. 5 of vol. ii., achieved his object. Mr. Davey aims, no doubt, at being popular and picturesque, and this we suppose must be his excuse for such touches as the statements that Richard II was elderly when he married Isabel of Valois, that the sisters of Elizabeth Woodville were no longer very young when she married them off (their ages ranged from ten to four-and-twenty), and that Margaret Beaufort had a prodigiously long life (she died before she was seventy). The repetition of the absurd fable of the

amours of Eleanor of Aquitaine and Saladin, and the acceptance of Robin Hood as an historical person, might perhaps pass muster in a popular book. It is more serious when the reader is gravely informed that Henry II was the illegitimate offspring of the empress Maud and King Stephen, or that John of France died in England when on a visit to his daughter the duchess Blanche of Lancaster (surely the true tale was picturesque enough). These are not isolated blunders; the whole book is inaccurate and slipshod. The marriage of Mary Tudor, sister of Henry VIII, is put at the close of the fifteenth century. Sebastian Cabot is credited with the discovery of Newfoundland; the letters patent of 1496 are said to have been granted to Sebastian and his sons, and there is not a word about John Cabot. Lady Fairfax is described as Oliver Cromwell's daughter. Queen Anne is said to have been instrumental in obtaining Lely to paint the beauties of Charles II's court. The old Pretender is called bonnie Prince Charlie. Sarah Jennings is described with much circumstance as living till 1752, though elsewhere her death is dated correctly in 1744. In addition misprints abound. A little care and industry might have obviated such shortcomings without affecting the design of the book. As they stand these volumes will be a stumbling-block to the unlearned and as a serious work have no value whatever. Mr. Fulleylove's charming illustrations deserved a better surrounding.

C. L. K.

The third and fourth volumes of Mr. W. O. Roper's *Materials for the History of the Church of Lancaster* (Chetham Society, 1906) complete the work, of which the previous portions appeared in 1892 and 1894, and contain an index to all four. The first of them is devoted to the history of the priory, the Commonwealth church survey, extracts from the church books, and extracts from the registers; the second deals with the fabric itself and the monuments and inscriptions within and without it, while lists of priors, vicars, and parish officers are given at the close. The church books supply a curious record from 1641 of the doings of that governing body known as 'the twenty-fourtie,' or 'the twenty-four of the parish of Lancaster,' who represented Lancaster itself and the adjacent townships, who had charge of the church, churchyard, charities, and *inter alia* the extermination of sparrows and foxes. We observe that the churchwardens were paying for 'rushes for the church' so late as 1755, that a reward was paid for 'one wild cat head' in 1759, and that rewards were still being given for foxes' heads at least as late as 1806. The registers bear witness to the heavy death rate among the Scottish rebels imprisoned at Lancaster in 1716. The monumental and tombstone inscriptions, which are very numerous, are printed in full.

J. H. RD.

There is so much history imbedded in the usages of universities that an account of *The Oxford Degree Ceremony*, such as Mr. J. Wells has published (Oxford: Clarendon Press, 1906), was well worth writing. This little volume contains a plain, popular, and at the same time extremely accurate account of the origin and meaning of the various elements in the ceremony. It is a constitutional history of the university *in nuce*. We may notice one small error: Lambeth degrees are not conferred only on 'deserving clergy' (p. 27).

H.

In his handsome volume on *The Reades of Blackwood Hill, in the Parish of Horton, Staffordshire, with a Full Account of Dr. Johnson's Ancestry, his Kinsfolk, and Family Connexions* (privately printed, 1906), Mr. Aleyne Lyell Reade sets forth the result of great labour devoted to minute and difficult studies in family history. For the most part such books lie without the scope of the historian and require no notice in this Review, and with much of Mr. Reade's book this is the case. It need only be said that his genealogical work is, on the face of it, thorough, accurate, and ingenious, while the mention of Mr. Paley Baildon's name in the preface is a guarantee that Mr. Reade has had at hand an adviser of proved competence. A certain discursiveness of style and an occasional touch of acrimony must have been a needful relief after such a diet of wills and parish registers, and need not provoke the reader unduly. By a happy diversion from his main subject Mr. Reade has been led into devoting half his space to a treatise upon the kinsfolk of Dr. Johnson. As a result we have elaborate studies of the families of Ford, Jesson, Harrison, and others, which will enable future readers to identify several persons mentioned in Johnsonian literature and hitherto only known as names. At present, indeed, the relevant facts are somewhat buried in matter proper to a family history, but not directly useful to students of Johnson's works and life. But there is a good deal of first-rate new information concerning Cornelius Ford, Michael Johnson and his brother Andrew, and a very ingenious attempt to solve the mystery of Johnson's relationship to Charles 'Scrimshaw.' Mr. Reade suggests that Catherine, wife of Gerard Skrymsher, was the sister of Michael Johnson. The proof is not complete and certain doubts might be suggested, but the hypothesis is undoubtedly probable. A good note on Miss Blaney should also be mentioned, although her descent from Lord Blaney seems not to be more than conjectural. Mr. Reade's attempt to reopen the question of Johnson's residence at Oxford appears to show some misapprehension of the question at issue. The best discussion of the question is contained in an essay by Dr. Birkbeck Hill printed at the end of *Dr. Johnson, his Friends and Critics*, a book which Mr. Reade does not appear to have consulted. The entries there quoted from the books of Pembroke College are evidence from which there is no appeal. They show clearly that Johnson's name was on the college books for about three years, but that he was only resident continuously for about fourteen months. It is almost impossible that while his name was on the college books he should have resided in Oxford without being compelled to 'battel' at his college. A word of praise is due to the indexes, but the system of indexing under one head persons who happen to bear the same name is irritating to the user, especially in a book which is in itself something of a maze.

C. G. C.

Erratum in the October Number.

P. 689, line 4. *For entretienment read entérinent.*

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The Ceremonial Book of Constantine Porphyrogennetos

THE treatise on the ceremonies of the Byzantine court, commonly known by the title *De Cerimoniis*, is ascribed to Constantine VII in the unique manuscript in which it is preserved.¹ It is clear that, if this attribution is true, it is not completely true of the text which has come down to us, since this text contains some passages relating to events subsequent to Constantine's death. These passages, which will be noticed below, led Reiske to throw out the conjecture that the original compiler was not Constantine VII, but his grandson, Constantine VIII.² As there is no evidence whatever to connect Constantine VIII with the work this suggestion, which Reiske only put forward tentatively, has met with no favour; and it is now generally admitted that the original compilation belongs to the reign of Constantine VII.³ A careful examination of the treatise leaves no room for doubt that this is the case; but there is considerable uncertainty as to the limits of the work in its first shape and the extent of the later additions. Thus Rambaud concluded that the greater part of book ii. dates from the end of the tenth century.⁴

Besides the problem of determining how the work came to

¹ In the University Library at Leipzig: a handsome parchment, saec. xi/xii. First edited by Leich and Reiske, 1751-4; reprinted in Bonn *Corpus*, 1829-30.

² Reiske's *Praefatio*, ed. Bonn, p. xxiii.

³ So Rambaud, Krumbacher, Bieliaev.

⁴ *L'Empire grec au dixième Siècle*, p. 136; but he also contemplates the reigns of Constantine VIII and Romanus III (p. 134).

assume its present form, the character of the original compilation, which consists largely of transcripts of older documents, presents a second problem to the critic. It is important to distinguish the compiler's work from his material, and to discover the periods to which the various incorporated documents belong. In his book dealing with the ceremonies described in book i. cc. 1-37, Bieliaev has made several useful observations bearing on this question, and Diehl has recently made a valuable contribution.⁵

I. GENERAL ANALYSIS OF THE TREATISE.

§ 1. A comparison of the preface to book ii. with the preface to book i. shows that book ii. was part of the design of the original author. The preface to book i. announces as the subject ἡ τῆς βασιλείου τάξεως ἱκθεσίς τε καὶ ὑποτύπωσις, and promises to describe ὅσα παρὰ τῶν παλαιότερων ἐφευρέθη καὶ παρὰ τῶν ἑωρακότεων διηγγέλθη καὶ παρ' ἡμῶν αὐτῶν ἐθεάθη καὶ ἐν ἡμῖν ἐνηργήθη (p. 4). The preface to book ii. (p. 516) draws a distinction between two kinds of material—(1) written records, ὅσα συγγραφῆς παρὰ τισιν ἔτυχεν; and (2) what has been handed down orally, ταῖς μνήμαις διασωζόμενα καὶ παρὰ τῶν πρεσβυτέρων ἀκολούθως τοῖς νεωτέροις παραπεμπόμενα. It is stated that the former, hitherto scattered and disconnected, have been arranged, 'by our care,' in logical order and included in book i. (ἐν τῇ πρὸ τῆσδε βίβλου); the latter are to form the content of book ii. (ὅσα ἡ παρούσα βίβλος ἐμπεριέχει). There can be no doubt that the two prefaces are from the same pen, as they profess to be; the style and tone are exactly the same. But the first preface does not announce, or seem to contemplate, a division of the work into two books, nor does it discriminate the two classes of material which determine that division. Hence we can conclude that the preface to book i. is a preface to the work as a whole, written before book i. was completed or perhaps begun, and that the second book was an afterthought.⁶

It is to be observed that, although in these prefaces the writer

⁵ The chief literature on the *De Cerimoniis* is as follows: the Prefaces of Leich and Reiske (in vol. i., ed. Bonn), and the Commentary of Reiske (in vol. ii., ed. Bonn); Rambaud, *op. cit.* (1870), pp. 128-36; H. Wäscheke, *Studien zu den Ceremonien des K. Porphy.* (1884); Krumbacher, *Gesch. der byz. Litt.*,² pp. 254-7 (where references to works on special points will be found); D. Th. Bieliaev, 'Ezhednevnye i voskresnye priemy vizantiiskikh tsarei i prazdnichnye vykhody ikh v khram sv. Sophii,' v ix-x v. 1893 (being the 2nd book of his *Byzantina*); Bieliaev's preface deals with the origin and composition of the work, and is the fullest study of the question that has hitherto appeared. The first book of his *Byzantina* ('Obzor glavnykh chastei bolshago dvortsa,' 1891) is also indispensable. For the works of Markovich and Kanevski it is enough to refer to Bieliaev's preface, p. xvi sqq. I cite his two volumes as *Obzor* and *Priemy*. Diehl, *Etudes byzantines* (1905), p. 293 sqq.

⁶ This conclusion is supported by the fact that while in the MS. book ii. is headed τὸ δεύτερον βιβλίον (p. 509) book i. is not headed τὸ πρῶτον βιβλίον.

does not give any express indication of his identity, there is not only nothing to contradict, or cast suspicion on, the authorship of Constantine, but the general tone and some particular phrases seem to bear out its imperial origin. For instance, p. 3: ἡμῖν δὲ καὶ λίαν φίλον καὶ περισπούδαστον καὶ τῶν ἄλλων ἀπάντων οἰκετότερον, ἅτε διὰ τῆς ἐπαινετῆς τάξεως τῆς βασιλείου ἀρχῆς δεικνυμένης κοσμιωτέρας κ.τ.λ. And the distinction between παρ' ἡμῶν αὐτῶν ἐθεάθη and ἐν ἡμῖν ἐνηργήθη (p. 4, l. 15) seems a pretty clear discrimination of the reign of Romanus I, when Constantine was a subordinate *basileus*, from his own reign as *basileus autokrator*.

§ 2. Book i. cc. 1-83 displays the orderly arrangement which is claimed for it in the preface to book ii. The ceremonies follow each other εἰρμῇ τινι καὶ τάξει λελογισμένη, and there is nothing in these eighty-three chapters which points to a date subsequent to Constantine VII. It is to be noted that there is a considerable lacuna; a portion of the manuscript has been lost; and the chapters, which now number eighty-three, were originally ninety-two. This lacuna will claim our attention subsequently; for the present we may represent the arrangement of book i. as follows:—

Book I. cc. 1-83=1-92*.

- cc. 1-37 (=46*): processions and ceremonies on religious festivals.
cc. 38-83 (=92*): secular ceremonies.

The rest of book i. cc. 84-97 (or properly 93*-106*) consists of material different in character:

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|---|--|
| { | cc. 84, 85: ceremonies at the appointment of certain functionaries. |
| | c. 86: investitures of certain officers. |
| | cc. 87, 88: reception of ambassadors announcing proclamation of western emperor. |
| | cc. 89, 90: reception of Persian ambassadors. |
| | cc. 91-5: ἀναγορεύσεις of Leo I, Anastasius I, Justin I, Leo II, Justinian I. |
| | c. 96: ἀναγόρευσις of Nicephorus II. |
| | c. 97: ceremony of appointing proedros of senate. |

The two last chapters proclaim themselves as subsequent to the reign of Constantine. The office of *proedros* was first instituted by Nicephorus Phocas, and first filled by Basil the *parakoimomenos*.¹ Hence c. 97 cannot be prior to the reign of Nicephorus Phocas. C. 96 was written during his reign, for the writer refers to him as ὁ εὐσεβῆς καὶ φιλόχριστος βασιλεὺς ἡμῶν Νικηφόρος

¹ Cedrenus, ii. 879, μήπω πρότερον ὄντος τοῦ ἀξιωματος (cp. Leo Diaconus, p. 49). Reiske has drawn illegitimate conclusions (Comm. p. 465), and he is followed by Rambaud (*op. cit.* p. 182). They both mistranslate the passage of Cedrenus. Cp. Bieliaev, *Priemy*, pp. 28-9 note.

(p. 434); and one might expect to find that c. 97 also was an addition of the same period. Internal evidence confirms this explanation. We find prominence given to the Caesar (τοῦ εὐτυχιστάτου Καίσαρος) along with the βασιλεὺς αὐτοκράτωρ (p. 443, 7, 10, 13). This proves that there was a Caesar when the ceremony was held from which this description is generalised. Nicephorus Phocas, on his accession, created his father, Bardas, Caesar.⁸ After this reign there was no Caesar at Constantinople until the end of the reign of Michael IV, when his nephew, Michael Kalaphates, was adopted by Zoe and raised to the rank of Caesar. We are justified in concluding that c. 97 was based on the ceremony which promoted Basil to the office of *proedros* at the beginning of the reign of Nicephorus; and we note as significant that no account is taken of the μικροὶ βασιλεῖς (Basil II and Constantine VIII). They are equally ignored in the acclamations of c. 96. The addition, then, of these two chapters points to a redaction of book i. in the reign of Nicephorus.⁹

§ 3. Cc. 84-95 are documents dating unquestionably from the sixth century. This is abundantly evident from both style and contents. In particular c. 86 can be dated between A.D. 548 and 565,¹⁰ c. 87 (with 88) in the reign of Justinian. The series of ἀναγορεύσεις was also compiled in Justinian's reign and formed one whole, as is shown by the fact that all the emperors are referred to as deceased, except Justinian (τὸν εὐσεβέστατον ἡμῶν Ἰουστινιανόν).¹¹ That the series is taken from the work of one writer, who looked back on the coronation of Leo I as ancient history, is proved by the last sentences of c. 91.

As the evident origin of all these chapters in the sixth century is generally admitted it is unnecessary to enumerate the marks (offices, institutions, technical nomenclature) which differentiate them from the rest of book i. The only question which admits of dispute is their authorship. The lemmata in the manuscript state that cc. 84, 85 are taken ἐκ τῶν τοῦ μαγίστρου Πέτρου. Hence we are

⁸ Leo Diaconus, p. 49. It is hardly necessary to observe that the passage in the preface to Nicephorus Phocas, *De velitatione bellica*, p. 185 (ed. Bonn), refers to this Bardas Caesar (Βάρδας ὁ μακαρίτης Καῖσαρ), and not, as I have somewhere seen it explained, to the uncle of Michael III.

⁹ Rambaud (with Reiske) contemplates the possibility of c. 97 dating from the sixth century, the *πρόεδρος* being the old *princeps senatus*. But, apart from other objections, such a date is peremptorily excluded by the style (which is homogeneous with that of the ninth and tenth century ceremonies, in marked contrast with that of the sixth-century documents, cc. 84-95) and by later institutions which are implied.

¹⁰ Theodora dead, 548, 9; Justinian still alive, 565, 17.

¹¹ P. 433, 1. I may observe that in this chapter, 433, 5, κομέτην should be corrected to κοβέρτον (*conuentum*). The mistake was due to the easy confusion of μ and β in tenth and eleventh century MSS. So in *De Adm. Imp.* 74, 20, Νεμογάρδας should be corrected to Νεβογάρδας (Novgorod).

justified in assigning them to the *περὶ πολιτικῆς καταστάσεως*¹² of Peter the Patrician, whose position as *magister officiorum* explains his special interest in these ceremonies. It was a natural conjecture of Reiske that not only cc. 84 and 85 but the following ten chapters also belong to Peter. This view was rejected by Wäschke,¹³ but probability, as Patzig has shown, is entirely in its favour.¹⁴ Otherwise we have to believe that these chapters, here juxtaposed, have been taken from two (or more) different works, dating from the reign of Justinian, similar in subject and uniform in style.

The authorship, however, is unimportant for the present purpose. For that purpose, and in relation to Constantine's work, all these chapters form a single group which stands apart from cc. 1-83. (1) Whereas 1-83 are a guide to the actual court ceremonial of the tenth century, 84-95 are of purely antiquarian interest. They not only describe ceremonies which had been changed in character, but concern obsolete institutions (e.g. the Augustalis of Egypt, the *κόμης σχολῆς*), and apply to circumstances which no longer existed (the Persian kingdom; the Ostrogothic kingdom, or western emperors, in Italy). (2) 91-5 describe ceremonies as performed on particular historical occasions. In 1-83 the descriptions are always generalised. (3) This group stands quite outside the arrangement of 1-83. If 84, 85 had been part of the design of book i. they should, in accordance with the principle of its arrangement, have followed 48-59. These considerations establish that 84-95 are an accretion, lying outside the homogeneous unity of the book. It does not follow, however, that they may not have been added by the author himself, just as in a similar case a modern writer might furnish in an appendix extracts of antiquarian interest.

§ 4. Book ii., in contrast to book i., is a miscellany showing little attempt at arrangement. We learn from its preface (as we have seen) that it was taken in hand after the completion of book i., and that its aim was to describe ceremonies (*τάξεις*) which had not been already committed to writing. Cc. 1-25 conform to this scheme, and are homogeneous with book i. 1-83, with the exception of c. 17. They all describe *ὅσα δεῖ παραφυλάττειν* on certain occasions, and so continue and supplement the ceremonial of book i. Fol. 203 of the manuscript is missing; it contained the end of c. 16, c. 17, and the beginning of c. 18. According to the index (p. 511) c. 17 described the *ἀναγόρευσις* of Romanus II. We find

¹² See Suidas *sub* Πέτρος δ ῥήτωρ.

¹³ *Ueber das von Reiske vermutete Fragment der Exzerpte Konstantins Περὶ ἀναγορεύσεως*. Dessau, 1878.

¹⁴ Patzig, *Bys. Zeitschr.* ii. 436-7. On Peter's use of colloquial Greek in a relation of his embassy to Persia see Menander, fr. 12, *F. H. G.* iv. 217. Cf. Krumbacher, *Gesch. der byz. Litt.* p. 339. Bieliaev also accepts Reiske's view as probable (*Priemy*, p. xxxiii, note).

also, appended to c. 15, descriptions of the particular proceedings on the occasions of the receptions of Saracen ambassadors and of a Russian princess in the reign of Constantine. Although such accounts, relating to specific occasions, are not found in book i., 1-83, they can hardly be said, for this formal reason, to be interlopers or to imperil the unity of the group cc. 1-25. But it is only these first twenty-five chapters that can be said either to conform to the programme of the preface or to continue the subject of book i.

Cc. 26-39 are antiquarian and historical, and must have been, for the most part, transcribed from written records. C. 26 relates to Theodosius I (with reference to a life of St. Ambrose). Cc. 27-30 describe ceremonies in the reign of Heraclius, cc. 31-7 acts in the reign of Michael III; c. 38 recounts the enthronisation of Theophylactus as patriarch in A.D. 983; c. 39, on the obsolete office of the *praepositus* of the patriarch, refers to an *ἀσφάλεια* of Heraclius.

§ 5. Thus ii. 26-39 bear a relation to ii. 1-25 similar to the relation which i. 84-95 bear to i. 1-83. The rest of book ii. is of a more miscellaneous character. C. 40 contains an antiquarian explanation of the origin of the twelve *λῶροι* worn on Easter Sunday by the emperor, *magistri*, &c., and an enumeration of treasures preserved in certain chapels; and c. 41, which seems closely connected, an enumeration of *ἀλλάξιμα*. C. 42 describes the imperial tombs in the church of the Holy Apostles. C. 43 gives the acclamations of the army on the occasion of triumphs. Cc. 44, 45 are copies from official schedules of military armaments in the reigns of Leo VI (A.D. 902), Romanus I (A.D. 935), and Constantine VII (A.D. 949), and are quite alien to the subject of the work. Cc. 46-8 form a group concerning the official style of address to be observed in relations with foreign and client princes. Cc. 49 and 50 contain respectively tables of the taxes paid by officials on their appointment and of the stipends of strategoi and kleisurarchai, in the reign of Leo VI. In c. 51 we have the description of a ceremony. Cc. 52, 53 consist of the *Kletorologion* of Philotheos, composed in A.D. 900; and c. 54 is a *notitia episcopatum* by Epiphanius of Cyprus, which Philotheos added as an appendix to his work. C. 55 defines the distribution of the fees paid by patricians on their elevation to that rank. The manuscript breaks off in this chapter, but the index shows that the book contained two more chapters, 56 being a life of Alexander of Macedon and 57 containing τοῦ φυσιολόγου ἢ τῶν ἐκάστου θηρίου θαυμαστικῆ ἐξις, πρὸς τε θεὸν ἀναγωγὴ καὶ τῶν ἐν βίῳ εὐαρεστούντων λόγοι ν'.

The titles of these two lost 'chapters' prove that book ii. of our manuscript includes matter which cannot have formed part of book ii. of the treatise on ceremonies designed by Constantine VII,

or of any ceremonial book. The other chapters which have been enumerated fail to conform to the programme announced in the preface, but these two have not even the remotest connexion with the subject of the work. Hence we can conclude with certainty that book ii. assumed its present form and compass by a purely mechanical process of stringing together and numbering as chapters *documents which happened to be physically associated with the original book ii. of Constantine.*

§ 6. Setting aside 56 and 57, most of the other chapters of book ii. might be alleged to have some bearing, near or remote, on the theme of the book. The relevance of cc. 43 and 51 is obvious. Cc. 40, 41 might be considered as notes on certain costumes and churches mentioned in various ceremonies, while cc. 49, 50, and 55 may be regarded as excursus to the ceremonies which pertain to the appointment of officials. Cc. 46-8 are also distinctly appropriate as an appendix. The enumeration of the tombs in the church of the Apostles, c. 42, might be *à propos* of the reference to certain tombs in that church in c. 6 (p. 533). It is to be observed that between cc. 41 and 42 there was once another document, described in the index (p. 513) as a brief list of the emperors who reigned at Constantinople, beginning with Constantine the Great. A leaf seems to have been lost between ff. 216 and 217 of the manuscript (cp. Reiske, p. 754). The index numbers this list c. 42, and throws together as c. 43 the two chapters which are numbered c. 42 and c. 43 in the text. There was evidently a confusion in the capitular arrangement here; and when we note that the paragraph which appears as c. 41 really belongs to the latter part of c. 40 we may conclude that the division ought to have been: 41, list of emperors; 42, imperial tombs; 43, *εὐφημία ὑπὸ τῶν στρατοπέδων*. A list of emperors is an irrelevancy; its occurrence in this place may possibly have been determined by the adjacent list of the imperial tombs, to which it might have been intended to serve as a chronological guide.

It is difficult to see how the descriptions of the armaments sent on various occasions to Crete and Italy in cc. 44, 45 have any relation to the subject of the book, or how a writer treating of court ceremonies could have thought of introducing them in any shape into his work. The fact that they contain some information about some military officials and their bureaux is obviously no justification. They must be placed in the category of irrelevant matter.

On the other hand cc. 52, 53 are a document which is strictly pertinent and cognate, the *Kletorologion* of Philotheos. But can we suppose that the writer of the original book ii. intended to include in his work a complete treatise by an earlier writer? Such a supposition would be in manifest contradiction to his

intention as declared in the preface, and seems in itself unlikely. It is not even as if this treatise of Philotheos had not been independently published. Written as a practical manual in A.D. 900, we should *a priori* expect it to have been disseminated, and this expectation seems to be confirmed by the discovery of a part of the treatise in a miscellaneous manuscript in the Patriarchal Library of Jerusalem.¹⁵ The document was identified, and the variants published, by Uspenski.¹⁶ Though it is not possible to demonstrate that this copy was not transcribed from a copy of the *De Cerimoniis*, book ii., there is nothing to suggest that this was the case; and the fact that the same manuscript contains another document dealing with the ranks and dignities of the Byzantine court, which is not included in the *De Cerimoniis*, may be urged as a positive indication that the book of Philotheos came to the scribe of the Jerusalem codex in another form.

§ 7. The result of our analysis is that in the collection which the manuscript describes as book ii., and presents as a connected whole with capitular divisions, only cc. 1-25 can claim to be the original book designed by Constantine and announced in his preface. The rest is a miscellany of various documents, some perfectly irrelevant and extraneous, some more or less closely connected with the subject, others loosely hanging on to its outskirts.

§ 8. It might be thought that c. 51 should be connected with cc. 1-25, since it describes a ceremony in a similar way and is at first sight homogeneous. The lemma is of the same form:

ὅσα δεῖ παραφυλάττειν ὅταν ἐν ὀχλήματι βούλεται προελθεῖν ὁ βασιλεὺς καὶ ἰδεῖν τὰ ὀρρία τοῦ στρατηγίου.

An examination of it, however, shows that it is a description not of a practice of the tenth century, but of an obsolete ceremony of the past. It belongs to an age when there was still a praetorian prefect of the east (700, 9; 701, 10, &c.) and the old organisation of the domestics and protectors still existed (700, 2-5). The decurion has prominent functions (709, 17), as in the extracts from the work of Peter the Patrician incorporated in book i.;¹⁷ in the ceremonial of the tenth century he has no place. The function performed by the silentarius (699, 17) is in keeping with sixth-century but not with tenth-century usage. The style of the chapter¹⁸ corresponds to these clear indications, and there can be no doubt that it is an extract from a sixth-century work, and is

¹⁵ Papadopoulos-Kerameus, *Ἱεροσολυμιτικὴ Βιβλιοθήκη*, no. 39, p. 115 sqq.

¹⁶ Th. Uspenski, *Vizantiiskaia label o rangakh*, p. 101 sqq., in the *Izvestiia russkago arkheologicheskago Instituta v Kplie*, iii. 1898.

¹⁷ See 890, 20; 897, 17; 408, 15; 407, 21. *οἱ τριβούνιοι τοῦ πραισίντου* (700, 1) is another indication. For the *προσκήνησις* by the domestics and protectors see 397, 7.

¹⁸ Compare also *paratus* and *transfer*, p. 699, loco p. 701. So *transfer*, p. 407, 20.

homogeneous in character with book i. cc. 84-95. We must therefore place it in the same category not as ii. 1-25, but as ii. 25-39.

§ 9. Some of the documents of this miscellany, as we have just seen, are extracts from works prior to the tenth century (viz. cc. 26-37, 39, 51). Cc. 49, 50, and part of 44 (651-60, 12) are official documents of the reign of Leo VI. C. 38 and the rest of c. 44 belong to the reign of Romanus I. C. 45 is an official document of Constantine's reign, describing the Cretan expedition of A.D. 949. That c. 40 (which involves 41) was written in Constantine's reign is shown by the form of the reference to him as living (640, 3); and a definite *terminus a quo* is supplied by the mention of the fourth indiction (641, 3), which can only have been A.D. 945-6. C. 48 was compiled in the reign of Constantine VII and Romanus II (686, 23 and *passim*); and there is no reason to dissociate cc. 46, 47.

§ 10. There are only two chapters containing indications which point to a later date than the reign of Constantine. In c. 42 among the tombs at the Holy Apostles', is mentioned that of Constantine himself, and in another place the same emperor is referred to as deceased. But these passages do not justify the conclusion, which is generally drawn, that the chapter, as a whole, dates from a period subsequent to Constantine.

648, 7. ἐν ᾧ ἀπόκειται Λέων ὁ ἀοίδιμος σὺν τῷ υἱῷ Κωνσταντίνῳ ὕστερον τελευτήσαντι τῷ Πορφυρογεννήτῳ.

649, 1. Ζωὴ ἡ μήτηρ τοῦ Κωνσταντίνου τοῦ θεοστέπτου καὶ Πορφυρογεννήτου τοῦ μακαρίου βασιλέως τοῦ ἐγγόνου Βασιλείου.

In the first passage the addition *τελευτήσαντι* is without a parallel in the rest of the chapter, and obviously shows that the words were written not long after Constantine's death. But if the whole chapter had been written then—say, in the reign of Romanus II—the writer must have said *ἀρτίως*, not *ὕστερον*. *ὕστερον* has no point in the sentence as it stands. It is impossible to suppose that 'subsequently to the death of Leo VI' can be meant.¹⁹ The only supposition which explains *ὕστερον* is that the chapter was compiled by Constantine, and that the clause *σὺν τῷ υἱῷ—Πορφυρογεννήτῳ* was interpolated, or added in the margin, after his death. Thus *ὕστερον* becomes perfectly intelligible. The clause means, 'Constantine himself, who wrote all this, died *since*, and was buried with his fathers.'

In the second passage *τοῦ μακαρίου βασιλέως* similarly stamps itself as an addition. Anyone writing the *whole* sentence would not have used this form of words. He would have said, *τοῦ μακαρίου Κωνσταντίνου τοῦ πορφυρογεννήτου*, or something of the kind. The

¹⁹ Rambaud, *op. cit.* p. 133, translates erroneously 'enseveli, longtemps après son père, dans le même tombeau.'

epithet *θεοστέπτον* suggests a living sovran. We may conclude that Constantine himself wrote *Κωνσταντίνου τοῦ θεοστέπτον καὶ πορφυρογεννήτου, τοῦ ἐγγόνου Βασιλείου*, and that *τοῦ μακαρίου βασιλέως* was inserted by the same hand which added the notice of his sepulture.

It is to be observed that throughout the enumeration of the tombs emperors are designated only by their names and the distinguishing epithets necessary to identify them (e.g. the two Justinians are distinguished as *μέγας* and *μικρός*; Theodora, wife of Theophilus, by her official epithet *μακαρία*). The sole exceptions to this rule are Basil I and Leo VI. Basil is described as *τοῦ φιλοχρίστου δεσπότης* (648, 12, 17, 24); Leo is *ὁ κύρις Λέων ὁ βασιλεύς* (648, 2), *τοῦ κυροῦ Λέοντος* (*ibid.* 15),²¹ *τοῦ μακαρίου Λέοντος* (*ibid.* 11, 17). This exceptional treatment conforms to the regular practice, which marks the writings of Constantine VII, of speaking of his father and grandfather with formal respect—‘his majesty Basil,’ ‘his late majesty Leo.’

The form of the two interpolations can leave no doubt that they were added at no very long period after Constantine’s death. If they were added after the death of Romanus II one would suppose that the interpolator would have also inserted a notice of that emperor’s tomb.²¹ It is possible that such a notice was added, for there is a brief lacuna after 648, 22;²² but this question must be left open. In any case such a late date as the reign of Constantine VIII, suggested by Rambaud, is quite inconsistent with the character of the references to Constantine VII. Rambaud assumed, with Reiske, that the words *Βασιλείος ὁ ἀδελφὸς Κωνσταντίνου Πορφυρογεννήτου* (648, 19) could only refer to Basil II, brother of Constantine VIII.²³ Basil II (whom one might expect to find distinguished as *Βουλγαροκτόνος*, if the reference were to him) was buried, as Reiske pointed out, in the church of St. John the Evangelist at Hebdomon.²⁴ (There is undoubtedly some corruption in the words which immediately follow: *καὶ Βάρδας ὁ υἱὸς Βασιλείου τοῦ πάππου αὐτοῦ*—for Basil I had no son named Bardas: should it be Stephanos?—but *αὐτοῦ* evidently refers to Constantine VII.) I suggest that this *Βασιλείος*, ‘brother of Constantine Porphyrogennetos,’ was the son of Leo VI by Eudocia, who died in infancy.²⁵

²⁰ Constantine speaks of the recent emperors, Leo and Romanus I, as *κύρις*, gen. *κυροῦ*, in *De Adm. Imp.* 200, 4, 18, 201, 4, &c.

²¹ Recorded in the lists of tombs printed in Banduri, *Imperium Orientale*, i. 121. More will be said of this below, § 15.

²² Cf. Reiske, p. 766.

²³ Rambaud, *op. cit.* p. 133. This is the only ground for the view that the greater part of book ii. was compiled in the time of Constantine VIII (p. 136).

²⁴ *Theoph. Contin.* vi. c. 17, p. 364.

²⁵ Cedrenus, ii. 480; Reiske, p. 764. The objection to identifying this Basil with Basil II, furnished by the positive evidence of Cedrenus, is reinforced by the following

The conclusion is that c. 42 was compiled in the reign of Constantine VII, and that two interpolations were added, not many years after his death, in the reign of his son or of Nicephorus Phocas. It will be shown below (§ 15) that this conclusion is supported by certain marks of Constantinian compilation; and it may also be remarked that, as we otherwise know, Constantine took a particular interest in the church of the Holy Apostles, which his grandfather Basil I had restored.²⁶ It was in obedience to his wish that Constantine of Rhodes wrote a description of the church in iambic trimeters, which has been published from a manuscript preserved in the Laura of Mount Athos.²⁷ It was written between 931 and 944 A.D.,²⁸ and the emperor Constantine's interest in the church is emphasised in the lines (430-1)—

καὶ τὸν φαεινὸν καὶ σεβάσμιον δόμον
αὐτῶν γεραίρει καὶ ποθεῖ ξενотρόπως.

§ 11. The other passage which contains marks of a later date than Constantine's reign is the last section of c. 55. This section is entitled *περὶ συνηθειῶν τῶν πραιποσίτων ἐν τῇ τάξει τοῦ ἵπποδρομίου*, and in Reiske's text is numbered as a separate chapter (56). It is on the last folio of the manuscript, which is mutilated (as we saw) and terminates in the middle of a sentence. In this section the following words occur :

καὶ γὰρ ὡς ἀπὸ παλαιοῦ ἐκράτει ἡ συνήθεια, ἐξήρρηται δὲ καὶ μετὰ ταῦτα ἐπὶ τε Ἰωσήφ πραιποσίτου τοῦ γέροντος καὶ τῶν πρὸ αὐτοῦ οἷς καὶ ἐπέπρακτο.

Joseph, the *praepositus*, is manifestly Joseph Bringas, patrician and *praepositus*, who held successively the posts of *sakellarios* and *δρουγγάριος τῶν πλοίων* under Constantine VII,²⁹ who on his death-bed intrusted Romanus II to his care.³⁰ Under Romanus, who appointed him *parakoimomenos*, he was the most influential member of the administration (as *παραδυναστεύων*), and guided the counsels of the emperor.³¹ The accession of Nicephorus Phocas (A.D. 963) meant his fall,³² and he was banished to Paphlagonia.

consideration : It is highly improbable that Basil II would have been simply described as the 'brother of Constantine' in any other reign than that of Constantine VIII; but it is also highly improbable that a writer of that time, in the three years after Basil's death (1025-8), would have designated him baldly as *Βασίλειος*, without the addition of *ὁ μακάριος* or something of the kind.

²⁶ *Theoph. Contin.* ('*Vita Basilii*,' c. 80), p. 323.

²⁷ By Legrand, with commentary by Th. Reinach, in *Revue des études grecs*, ix. 32 sqq. 1896. An edition by Begleri was also published at Odessa in 1896.

²⁸ When four *βασίλεις* were reigning, vv. 22-6.

²⁹ *Theoph. Contin.* p. 445.

³⁰ *Ibid.* p. 466.

³¹ *Ibid.* pp. 469, 474, 479, 480. The contrast between the favourable treatment of Joseph in this work and the disfavour shown to him in the chronicle of Skylitzes (Cedrenus) is marked.

³² Leo Diaconus, p. 31 sqq.; Skylitzes-Cedrenus, ii. 350-1. We have a contemporary account in the relation of the *ἀναγόρευσις* of Nicephorus, added to book i. of the *De Cerimoniis* (c. 96).

The form of the reference to Joseph in the sentence above quoted gives the impression that it was written after his fall, but not at a very much later period. He is not designated as *ὁ γέρον* in any of our other sources, and it is natural to conjecture that this was the familiar way in which he was spoken of by his contemporaries in the reigns of Romanus II and Nicephorus.

Further on, however, in this document (807, 28) we read *χαυνότητι τῶν μετὰ ταῦτα πραιποσίτων*, and Reiske, referring *μετὰ ταῦτα* to the days of Joseph, draws the conclusion :³²

debet codex hic ceremonialis multum aetate Constantini Porphyrogeneti senioris et Nicephori Phocae posterior esse.

Even if this explanation of *μετὰ ταῦτα* is correct Reiske's inference—*multum posterior*—is not necessitated, for the *πραιπόσιτοι* were a body, and the period of their 'negligence' might have lasted only a short time, within the reign of Nicephorus. But it is important to understand the character of our document, as a whole, which Reiske has not considered. It has the authoritative character of an order, written by the direction of an emperor, to reform an abuse which had crept in. It begins in the fashion of an imperial constitution :

*ἐπειδὴ περ πᾶσιν πρόκειται ἡ τῆς τερπνῆς ἵπποδρομίας χαρμόσυνος θέα καὶ ἀκριβὴς τῶν ἐν αὐτῇ διαφόρων τάξεων ἐνάρμοστος χωρία (leg. χορεία) καὶ σύμπνοια, δεῖ πάντως καὶ ταύτην ἀνάγραφτον ταῖς εἰς τὸ ἐξῆς γενεαῖς καταλείπειν σημαίνουσιν κ.τ.λ.*³⁴

The special purpose of drawing up the register (*ἀναγραφή*), for the regulation of the *τάξις τοῦ ἵπποδρομίου*, was to put an end to an irregularity. The functions which properly belonged to the *praepositi* of administering and distributing the salaries (*ρόγαι*) of the *πολιτικαὶ τάξεις* of the Hippodrome had been partly taken out of their hands by a conspiracy between the *chartularii* of the factions and the military treasurer (*λογοθέτης τοῦ στρατιωτικοῦ*), who on their own authority (*χωρὶς γνώμης τῶν πραιποσίτων*) nominated recipients of salaries, and of course profited by this traffic. This practice is here forbidden :

καὶ ἀπὸ τοῦ νῦν δεῖ πάλιν τοῖς πραιποσίτοις ταῦτα κατέχειν καὶ διορθοῦσθαι, καὶ μηκέτι μήτε τὸν στρατιωτικὸν ἢ τοὺς χαρτουλαρίους καὶ νοταρίους ἐν ἐξουσίᾳ εἶναι κ.τ.λ.

We have clearly to do with an imperial ordinance, and in such an official document the description of Joseph as *τοῦ γέροντος* would be distinctly strange. This sentence referring to Joseph appears to state that the fee to the *praepositi* was an ancient custom, but

³² P. 903. So Rambaud, p. 133.

³⁴ For the beginning, *ἐπειδὴ περ*, cp. the novel of Basil II, Zachariä, *Ius Graeco-Romanum* iii. 308, and that of Constantine VII, *ibid.* p. 257.

was intermitted and then reintroduced by the predecessors of Joseph. If, then, the ordinance dates from a period subsequent to Joseph we have four stages in the history of the *συνήθεια*: (1) the ancient custom (2) fell wholly or partly into abeyance, (3) was renewed by Joseph's predecessors, (4) was again endangered by the usurpations of the military treasury. There is nothing impossible in this; but I do not believe that it is the right interpretation. While τὸ γὰρ ἀκρόστιχον (l. 14) follows on naturally to ἀπαραλλάκτως τοῖς ἀρχαίοις τύποις ἐξακολουθοῦσιν (l. 11) the intervening sentence (καὶ γὰρ ὡς—ἐπέπρακτο) comes in awkwardly. Its baldness gives it a distinct character from the rest of the document; and its tone is incongruous. The ordinance is drawn up in the interests of the *praepositi*, to secure them the control of the *ρόγαι* and their due *συνήθεια*; but this sentence gives the impression that its writer was not particularly favourable to the claims of the *praepositi*. Besides the not very respectful designation of Joseph, the words *ἐξηύρηται* and *οἷς καὶ ἐπέπρακτο* combine to convey this impression. We seem to have to do with a marginal note, not belonging to the original text, and intended as a comment on τοῖς ἀρχαίοις τύποις (which is taken up by καὶ γὰρ ὡς ἀπὸ παλαιοῦ).³⁵ If so the note was evidently added after Joseph's disgrace, in the reign of Nicephorus; and the regulation itself was of older date, whether of the reign of Constantine VII or of an earlier emperor.

§ 12. We saw that the only parts of book i. which imply a date later than Constantine VII were an addition made in the reign of Nicephorus II (cc. 96, 97). An examination of book ii. has led to the result that it contains no document that need be posterior to Constantine VII, but that there are three interpolations, two in c. 42 and one in c. 55 (56), of which the last dates from the time of Nicephorus,³⁶ while the others might belong either to his reign or to that of Romanus II. These results mutually sustain each other, and point clearly to the conclusion that the redaction of the *De Cerimoniis*, in the form in which it has come down to us, dates from the reign of Nicephorus. There is no proof of any alterations or additions subsequent to that time.

Of what nature was this redaction? Constantine left his first book entire. Of his second book he succeeded at all events in completing a part (cc. 1–25). In the work of compilation he used a number of documents bearing on various parts of his subject, some of them describing ceremonies of a long past date. Bieliaev has well shown how such descriptions of actual ceremonies were

³⁵ There is no difficulty in τῶν μετὰ ταῦτα πραιποσίτων, 'subsequent "praepositi"' (l. 23); they are contrasted with the 'praepositi' of l. 15.

³⁶ If it is not admitted that this is an interpolation I contend that we must ascribe the whole document to the time of Nicephorus.

used as a basis for the prescribed ceremonies.³⁷ Thus the description of the reception of a deputation by Michael III in c. 37 seems to have supplied the hint for the procedure prescribed in c. 1 (522, 5 *sqq.*); and the directions in c. 14 (565) seem to be based on the ceremony described in c. 38. The reception in the Magnaura, c. 15, is based on the actual proceedings in the case of the Saracen ambassadors and the princess Olga, which are added as an appendix to this chapter. The practical use of these extracts from history, ancient as well as modern, is indicated in some of the lemmata, as in c. 31 (*πὼς δεῖ προσφέρειν τὸν βασιλέα ἐν μεγάλῃ ἐκκλησίᾳ ἀναθήματα*), where the title suggests the general application of a particular ceremony performed by Michael III. To this class of documents, some of practical use, others of antiquarian interest, belong cc. 84-95 of book i. and cc. 26-39 of book ii. From the circumstance that cc. 84-95 are appended to book i. we can conclude that they were placed there by Constantine himself; for if all these documents had formed a separate *dossier* it is highly unlikely that the redactor would have inserted some of them in book i. and some of them in book ii. It seems clear that the *original compiler*, when he had completed book i., added the series of extracts from Peter as a sort of appendix. And it was because he found a series of *ἀναγορεύσεις* (91-95) at the end of book i. that the *redactor* added here (and not in book ii.) the *ἀναγόρευσις* of Nicephorus, with which he naturally associated further the ceremony of the proedros.

§ 13. It is further to be observed that cc. 26-39 of book ii. form a homogeneous series, whereas the rest of the book is a miscellany, showing no sign of ordered arrangement. This suggests that Constantine intended this series to follow book ii., exactly as the other series followed book i. It therefore seems possible that the true book ii. is complete, cc. 1-25 forming the body of the book and cc. 26-39 an appendix of illustrative material. The upper limit of date for its composition is the autumn of the year in which Olga visited Constantinople, A.D. 957, as recorded in c. 15; ³⁸ while the upper limit for the completion of book i. is 956, the year of the death of the patriarch Theophylactus, who is referred to as no longer alive in c. 28 (p. 160).³⁹

³⁷ *Priemy*, pp. xxxiii-iv.

³⁸ The date (falsely given in the Russian chronicle as 955) can be inferred from Constantine's account, though he does not mention the indiction. Olga's audience was on Wednesday, 9 September (p. 594), and there was a banquet to which the Russian retinue was invited on Sunday, 18 October. The only years in Constantine's reign fulfilling these data are 946 and 957, of which the former is otherwise excluded. 'It would be unnecessary to call attention to this were it not that Rambaud (*op. cit.* p. 380) strangely says 'pas de date à tirer de *Cérém.* ii. 15,' and leaves it open whether the year was 956 or 957. The true date is now currently accepted. There are good notes on Olga's visit in Ilevaiski, *Istoriia Rossii*, i. 294-5.

³⁹ Book ii. c. 18 seems to have been compiled before the marriage of Romanns II

§ 14. On the other hand the incorporation of cc. 40–57 in the second book was the work of the redactor. These chapters are evidently the miscellaneous contents of a *dossier* or collection of pieces, which he found physically associated with the original manuscript of the *De Cerimoniis*. They are, in fact, literary papers of Constantine, partly excerpts, partly compositions of his own, some of which he may have intended to add to *De Cer.* book ii. (for instance, cc. 40, 43, 51⁴⁰). The want of intelligence on the part of the redactor is apparent. The inclusion of such irrelevant documents as the schedule of the military expeditions in cc. 44, 45 shows that he had no discretion; but the inclusion of a life of Alexander and the contents of c. 57 proves that his procedure was purely mechanical. In the capitular divisions he also displays his incapacity. Thus c. 50 includes (1) a schedule of salaries of *strategoi*, and (2) a schedule of persons of certain classes exempt from, or liable to, service in military expeditions—two totally distinct subjects. On the other hand the separation of c. 53 from c. 52 is indefensible.

That a number of these diverse pieces were not merely used for consultation, but were designed for publication, whether in the *De Cerimoniis* or not, can be proved; for some of them either were compiled by Constantine or reveal his editorial hand. The formula which reveals his hand is *ιστέον ὅτι* (sometimes *χρὴ εἰδέναι*). This formula is used uniformly throughout the treatise *De Administrando Imperio* (varied by the abbreviated *ὅτι*), as I have shown elsewhere.⁴¹ (See further below, § 30.)

§ 15. This test confirms our previous result, that the enumeration of the tombs in the Holy Apostles' (c. 42) was compiled by Constantine. *ιστέον ὅτι* occurs repeatedly (pp. 642, 646–9). I pointed out above that this list might be considered *à propos* of the reference to some tombs in book ii. c. 6; yet it does not seem probable that it was intended to form an addition to book ii. It followed, as we saw, a list of emperors (lost from our manuscript)⁴² which, whether compiled under Constantine or not,

with Theophano. Cp. 603, 3, where only *ἡ αὐγούστα* (Helena) appears. In the reception of Olga Theophano appears (*ἡ κόμνη*).

* This chapter may have been already added to book ii. by Constantine himself; I have treated it as disconnected, because 26–39 are homogeneous.

⁴¹ See my article 'The Treatise *De Administrando imperio*,' § 6, in *Byzantinische Zeitschrift*, vol. xv. 1906. The formula is also used frequently in ii. cc. 1–25; and the notices in cc. 26–37 are all introduced by *ιστέον ὅτι* or *χρὴ εἰδέναι*. It was not used in the case of a literal transcription, and we can infer that the account of the *χειροτονία* of Theophylactus in c. 39 is an exact copy of an account written at that time (A.D. 933).

⁴² It may be observed that the list of emperors, which forms part of the Codinus collection (ed. Bekker, p. 149 *sqq.*), seems to have been originally compiled under Constantine VII. This is shown by the notice of the legislation of Romanus I (pp. 154–5), in connexion with which Constantine is described as *ὁ βασιλεὺς κύριος Κ.* (*κύριος* does not occur earlier in the list).

was doubtless a separate *opusculum*. Now we possess another enumeration of the imperial tombs, published from different manuscripts by Ducange and Banduri.⁴³ It differs from c. 42 in several respects. It is briefer and less correct;⁴⁴ and there are some deviations in the order. It also records the tombs of Nicephorus Phocas, Theophano, and Constantine VIII,⁴⁵ so that it must have been compiled or edited after 1028. But a comparison of the two documents shows at once that they are not independent of each other. The order is generally the same; the form of the notices is exactly the same,⁴⁶ the variations mainly consisting in omissions on the part of the writer of the list. As an example of the correspondence take the notices of the first two tombs in the 'Heroon' of Justinian.

'DE CER.' ii. 42, p. 644.

Πρὸς αὐτὴν τὴν κόγχην κατὰ ἀνατολὰς πρῶτος λάρναξ ἐν ᾗ ἀπόκειται τὸ σῶμα τοῦ Ἰουστινιανοῦ, ἀπὸ λίθου ξίνου καὶ ἀλλοκότου μέσσην χροιάν ἔχοντος τοῦ τε Βιθυννοῦ καὶ Χαλκηδωνί του παραπλησίως λίθῳ Ὀστρίτῃ.

ἕτερος λάρναξ ἀπὸ λίθου Ἱεραπολίτου ἐν ᾗ ἀπόκειται Θεοδώρα ἡ γυνὴ τοῦ μεγάλου Ἰουστινιανοῦ.

'ANONYMUS' (Bekker, p. 205).

λάρναξ κατὰ ἀνατολὰς ἀπὸ λίθου ξίνου καὶ ἀλλοκότου μέσσην χροιάν ἔχουσα τοῦ τε Βιθυννοῦ καὶ Χαλκηδονίτου παρὰ (?) λίθου ὀστρέτου ἐν ᾗ ἀπόκειται Ἰουστινιανός.

ἑτέρα λάρναξ ἀπὸ λίθου Ἱεραπολίτου ἐν ᾗ ἀπόκειται Θεοδώρα ἡ γυνὴ αὐτοῦ.

The question to be determined is whether the work of the 'Anonymus' was derived from the Constantinian document or was based on a common source. In the latter case c. 42 would represent not an original composition, but an edition of an older work. The former alternative must be accepted, because the characteristic *ιστίον ὅτι* appears in the 'Anonymus' (p. 207, 9 and 16; also 20, where the text gives *εἰ δέ* corruptly). Moreover the homogeneity of the Constantinian document is notable; the stone of the sarcophagus is designated throughout, whereas in the late additions of the 'Anonymus' the stone is not described (simply *ἑτέρα λάρναξ*).

⁴³ Ducange, *Constantinopolis Christiana*, bk. iv. pp. 109-10; Banduri, *Imperium Orientale*, i. 121, whence it was reprinted in Bekker's *Coisins* ('Exc. de ant. Const.'), p. 202, and (with Banduri's commentary) in Migne, *P. G.* 157, c. 725 sqq.

⁴⁴ Thus a tomb of Theodosius II is inserted after that of Theodosius I (Bekker, p. 208), and again rightly noticed in a different place along with that of Arcadius (p. 207). There is a similar duplication of Michael II (pp. 204, 206).

⁴⁵ Pp. 204-5. Also of Romanus II, which may have been in *De Cer.* c. 42. Observe that Constantine VIII is described as 'the brother of the emperor Basil Bulgaroktonos,' as we should expect, and nothing is said of a tomb of Basil II, who was buried elsewhere; see above, § 10.

⁴⁶ Curiously *λάρναξ* is masculine throughout in c. 42, but feminine, according to the commoner usage, in the anonymous list.

The 'Anonymus' has indeed one additional piece of description. It is noted that the stoa containing the tombs of Arcadius, Eudoxia, and their son is τὰ νῦν ἀσκέπαστος (p. 206); this is not mentioned in the Constantinian document. There are, however, certain other variations which suggest that this addition may not have been due to the 'Anonymus.'

(1) The notice of the casting out of the body of Constantine V, ἀλλ' ἐξεώθη κ.τ.λ. (p. 645, 4) appears in the 'Anonymus' in an expanded form (contrary to wont), and is introduced by the Constantinian formula ἰστέον ὅτι (p. 206), which is absent here in the Constantinian document.

(2) The last part of the Constantinian document (647, 20-649, 6) is omitted in the 'Anonymus.' This does not prove that the anonymous list was left incomplete, for this omitted portion records the tombs of minor members of imperial houses, ἐν τῷ εὐωνύμῳ μέρει τῆς αὐτῆς ἐκκλησίας. No emperor was buried in this part of the church, and therefore a list of imperial tombs might have been composed without including it.

It seems, then, worth while to suggest that the work was issued in Constantine's lifetime without this latter portion, and differing in a few details from the generally fuller draft in c. 42; and that it was from this publication that the anonymous list was transcribed. The only objection to this hypothesis is that the tomb of the empress regent Zoe was in the omitted portion, and it may be asked whether Constantine would have allowed a description to appear which did not include his mother's tomb. In any case it seems highly probable that the document of c. 42 was intended to be an independent work by itself.

§ 16. It has already been observed (§ 6) that the list of ἀλλάγματα in c. 41 belongs to, and should not have been separated from, the lists which form the latter part of c. 40. On the other hand c. 40 comprises two heterogeneous documents, (a) the account of the origin of the ceremony of the twelve λῶροι and (b) the lists of church treasures. The division between cc. 40 and 41 ought to have been at the end of a. We saw that b contains internal evidence of its compilation in the reign of Constantine (above, § 9); but it does not seem at all probable that he intended to append it to the *De Cerimoniis*. On the other hand a has no special marks of Constantinian origin, and the introductory sentence is unlike the general style of the *De Cerimoniis*.⁴⁷ It must be left open whether it was compiled by Constantine or is an extract from some older work. In any case it is closely connected with the subject of the *De Cerimoniis*, and would have formed a suitable adjunct to the treatise.

⁴⁷ ἐκ μὲν τῶν καθ' ἡμᾶς νοημάτων τῆς εὐσεβείας, καθὼς ὁ ἐμὸς λόγος, ἐποτυπώσομαι. In the prefaces Constantine does not use the first singular.

That the *εὐφημία* on the occasion of a triumph (c. 43) was meant to be incorporated somewhere is shown by the emperor's *ιστέον ὅτι ἡ αὐτὴ εὐφημία ᾄδεται κ.τ.λ.* (p. 649, 9). It would have been quite a relevant addition to book ii.

The two documents combined in c. 44, relating to the expeditions to Crete under Leo VI, and to Italy under Romanus I, bear the marks of Constantine's editing (*ιστέον ὅτι* pp. 656-7 repeatedly, 660, 662; also *ὅτι* 663). And in the similar document of his own reign we also find the characteristic mark (669, 12, 671, 18). These pieces have nothing to do with ceremonies; their proper place would be in a treatise on military and naval organisation. The documents in c. 50, on the salaries of the strategoi and liability for military service, would also be appropriate in such a treatise. They too were edited by Constantine (compare 697, 10; 698, 9, 22; 699, 1). It seems a not improbable inference that he had formed the idea of compiling a treatise on military administration.

§ 17. C. 47 is distinguished by a special title in majuscules, a distinction which it shares with c. 52 (the *Kletorologion*). This indicates that the *χαιρετισμοί* were, like the *Kletorologion*, an independent document, and internal evidence suggests that it may have been composed in the time of Leo VI.⁴⁸ C. 48 seems also to be an older document, in which the names of Constantine and Romanus have been substituted in the formulae for those of earlier emperors. I conclude this from the retention of an obsolete formula for addressing the prince of Bulgaria side by side with the new form of address.⁴⁹ Further traces of Constantine's editing appear at p. 688, 16, and in the scholia on pp. 690 and 686.

The schedule of fees, dating from Leo's reign, in c. 49 has no signs of Constantine's hand, but it is followed by notices relating to (1) subsidies and exemptions granted to Saracen captives who have become Christians and (2) the property of soldiers, which ought not to have been grouped either together or in the same chapter as the schedule. These notices are marked by the usual Constantinian formula.

The *Kletorologion* of Philotheos, cc. 52, 53, with its appendix, 54, is intact; there are no notes or additions of Constantine. The schedule of c. 55 is introduced by the Constantinian formula.

§ 18. Sorting these documents in accordance with our results,

⁴⁸ It looks as if the Bulgarian formulae on p. 681 were used in the first years of Leo, during Vladimir's reign (the emperor is *πῶρος* because Vladimir was son of Boris), and as if those following on p. 682 (*μεταμειφθέντος τοῦ δνόματος*) were introduced after the accession of Symeon (A.D. 893). Cf. Reiske, p. 801.

⁴⁹ P. 690. The first formula represents evidently the later usage of Leo's reign (see last note), while the second, in which the Bulgarian ruler is entitled *κύριος* and *βασιλεύς*, must have been introduced when the tsar Peter married Maria, granddaughter of Romanus I.

we may draw up the following table of the contents of the collection known as *De Cerimoniis* :—

A. *Treatise 'De Cerimoniis' :*

Book i.=i. cc. 1-83 (92 *)+84-95 (98 *-104 *) [84-95 contain matter which a modern author might include in an appendix].

Book ii.=ii. cc. 1-25 + 26-40a [26-40a contain matter of the nature of an appendix. 51 seems also to belong to this series]. It is possible that 48, 48 (and 46) were intended to be incorporated.

Subsequent addition in the reign of Nicephorus Phocas=i. 96, 97 (105,* 106 *).

B. *Various opuscula composed or edited by Constantine VII :*

(1) *περὶ τῶν τάφων τῶν βασιλέων*=ii. 42.

(2) Military documents, perhaps for a treatise on military administration=ii. 44, 45, 50, and latter part of 49 (694, 22-end).

(8) *χαριεπιστολαί* of ambassadors=ii. 47, with which perhaps 46 and 48 are connected.

(4) Schedule of *συνήθεια*=ii. 55 (with Reiske's 56).

? (5) List of emperors=ii. 42 in index. But, as this is lost, we cannot say whether it belongs here or under C.

C. *Additions, not written or edited by Constantine VII :*

(1) *Kletorologion* of Philotheos=ii. 52, 53 (with its appendix 54).

(2) Schedule of fees in reign of Leo VI=ii. 49 (beginning-694, 21).

(8) Life of Alexander of Macedon=ii. 56 (lost).

(4) Documents of ii. 57 (lost).

(As the most simple explanation of the appearance of the accretions B and C it is suggested that they were found in a *dossier* of Constantine along with material connected with the Ceremonies.)

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(To be continued.)

Motes and Norman Castles in Ireland

IN a former paper I endeavoured to show, from an examination of the number and positions of townland names in Ireland involving the words 'mote' or 'bretesche,' that these townlands pointed to some of the sites of early Anglo-Norman fortresses and indicated their nature.¹ I now propose to approach the subject more directly by examining, so far as I have materials for doing so, the probable sites of those castles in Ireland the erection or existence of which is recorded, or in some few cases may safely be inferred, prior to the close of King John's reign, and ascertaining whether these sites include earthworks of the type supposed. I shall arrange these castle-sites in groups according to the territories occupied and planted by the first great territorial lords. Thus the lordship of Meath—a district including East and West Meath, the eastern part of Longford, and portions of King's County and North Dublin—granted to Hugh de Lacy, the greatest of our early castle-builders, will form one group; the lordship of Leinster, granted to Strongbow, another; the portion of Ulster planted by John de Courcy a third. These will cover the large majority of early castle

¹ *Ante*, vol. xxi. (1906), p. 417. I have since received information as to motes in several of the 'mote townlands' where I had found no notice of one. Those at Killeagh and Kilbeg, in Meath, are mentioned *infra*, pp. 240, 241. It is not the fact that the mote townlands in Connaught do not generally point to a mote (in the sense of a fortified artificial mound). There is a high mote, called Rathdoony, within a quarter of a mile of Ballymote Castle (erected A.D. 1300), Sligo. It was formed on a ridge in quite a usual way, by cutting a trench in the ridge and piling up a flat-topped mound, eighty feet above the level of the neighbouring bog (Mr. H. T. Knox). I have little doubt the place received its name from this mote long before the Red Earl's castle was built. In Galway the mote at Kilbegnet was almost entirely cleared away fifty years ago. At Ballymoat, Tuam, there is a low mote, with remains of a circular building, perhaps a columbarium, on the top. It is about 300 yards from the square fort, mentioned in my paper (p. 442), which is on a ridge. At Moat Hill Lodge, Moylough (*v. ibid.*), there is a mote sixteen feet high, with fosse and rampart. That at Moat, Killimorologue, is on a declivity, and is fifteen to twenty-five feet high. The mote at Kiltormer, called Lissapooka, is thirty-eight feet high, and is surrounded by a fosse twenty-seven feet wide and seventeen feet deep. In Mayo, besides the Annagh mote, there is in the mote townland, Ballintubber, an oval mote, much defaced, about twenty feet high at one end. (I owe the above information to Sergeant Lyons, R.I.C.) Though these motes exist, and possibly one or two others, it is quite true, and in accordance with what we should expect, that high motes are most significantly rare in Connaught.

sites, and, I may add, of existing motes. Of the remainder I shall group the castles of the counties Tipperary and Limerick, mostly De Burgh and Butler castles, together, and distribute in minor groups those erected by John de Gray (1210-8), chiefly on the Shannon and in the west of King's County; those in Waterford, in Kerry, and in Cork. This method will, I think, give a clearer picture of the nature and extent of the Anglo-Norman settlement than would be presented by an alphabetical or even a strictly chronological arrangement, more especially as we have not full materials for the latter. Doubtless there were many castles erected within the period which have not found their way into extant records, and some of these, especially in Ulster, might be guessed at with considerable confidence, but probably a sufficient number is recorded to enable us to form a correct judgment as to the nature and distribution of the whole. I have limited the investigation to the period prior to 1216 partly because Mr. Westropp, who holds the anti-Norman, or perhaps I should say 'prehistoric,' theory of motes, has adopted this date in the brief, but curiously inaccurate, list that he has drawn up; partly also because we have distinct evidence that about this period it became customary to build castles in stone, and while stone towers, replacing wooden ones, might be, and indeed often were, placed on the old mounds, it seems highly improbable that they would be placed on freshly made mounds. Hence after this date, if not before, in the more settled districts at any rate, it is improbable that any motes were erected.

I have not been able personally to visit very many of these castle sites, but I have examined some of those in Meath, Leinster, Tipperary, and Kerry. In other cases I have taken the best descriptions available, or have obtained fresh information from the local secretaries of the Royal Society of Antiquaries of Ireland. I am quite aware that a more accurate description, accompanied by careful plans, is in most cases a great desideratum, and I hope that this tentative list may soon be superseded by a work of a more final character. Meantime if it shows that there is a better foundation than is generally thought, at least in Ireland, for ascribing the motes to the Normans, and promotes a more critical examination of early castles and castle sites than has yet been made, it will have served its purpose.

While I was still engaged in completing my list of castle sites two excellent papers by Mrs. Armitage, approaching the subject from a similar point of view and containing a somewhat similar list of castles, appeared in the July and August numbers of the *Antiquary* (1906). I felt at first that I had better leave the subject in such competent hands, but I have been encouraged by Mrs. Armitage herself to proceed with my list, and she has moreover most kindly placed in my hands her manuscript 'Book of Mottes,'

containing plans and sections of a large number of motes and castle remains in various parts of Ireland, most carefully prepared by Mr. Basil Stallybrass.² My list of castle sites is considerably more extensive than that compiled by Mrs. Armitage; for while she limits herself to those mentioned in Giraldus, the *Song of Dermot*, and Sweetman's *Calendar*, I have also ransacked the Irish annals and some contemporary charters, and have admitted a few castles in cases where only the creation of the manor is actually recorded. I have, moreover, included six of the castles mentioned in the *Calendar* and two from Giraldus which Mrs. Armitage failed to identify, and have been able to correct two or three mistaken identifications into which she was misled by the editor of the *Calendar* and others. I have aimed too at tracing from contemporary sources the early history of each castle so far, and so far only, as it seemed to throw light on the date, nature, and site of the original structure. In this I have received little or no assistance from previous writers. I found so many wild statements, given without any authority, that I felt I could trust none of them,³ and I have sought out such facts as I have stated solely from the contemporary records available to me. My treatment of the subject, therefore, is more complete, as well as more ambitious, than has yet been attempted, and, I hope, places the theory of the Norman origin of motes in Ireland on a still firmer basis. These at least are my excuses for dealing with a subject already so ably treated. Without the assistance of Irish antiquaries and the local knowledge and familiarity with Irish records which they alone are likely to possess it will be impossible to examine all these early castle sites in the light of the new theory. It is, therefore, perhaps fitting that one Irish antiquary at any rate should make a commencement and contribute what he can, be it ever so little, to the solution of the problems raised.

One or two general remarks pertinent to the question as it affects Ireland may here be made. In considering the origin of Irish earthworks we have at least one advantage over those engaged in the like problem in England. We need not ask were they the work of the Romans, nor need we inquire whether they were built by Saxon, Angle, or Jute. In short, we can only ascribe them to Northmen (Norwegians and Danes) in the ninth and tenth centuries, to Celtic (or pre-Celtic) tribes, or to the Anglo-Norman settlers after 1169. The theory that would ascribe Irish forts in general

² Where I have relied upon the descriptions in this book or in the papers referred to, published in the *Antiquary*, I have appended Mrs. Armitage's name or that of Mr. Stallybrass.

³ From this condemnation I must except Mr. Westropp's papers on the Limerick castles now appearing in the *Proceedings of the R.I.A.* vol. xxvi. c. (May and September). In these he has begun a most praiseworthy survey of the castles of co. Limerick, with notes as to the records concerning them.

and the mottes in particular to the Northmen, though for a long time a favourite one in Ireland, is now, however, among the learned, generally, but perhaps unduly, discredited. Fortified mounds of the mote type, to confine ourselves to them, appear to be at least rare in the countries from which the Northmen came, and they are certainly not found or recorded at the great seaport towns in Ireland where we have clear evidence that they chiefly settled. Dublin, Waterford, Wexford, and Limerick were walled towns in 1169-70, but, with the exception of the *Turris Ragnaldi*, believed still to exist and to have stood at an angle of the walls at Waterford, there is no mention of any fortress of the nature of a keep or citadel inside any of those towns. There is, indeed, good evidence of the existence in 1170 of a mound outside the walls of Dublin, 'la Hogges desus Steine' of the *Song of Dermot*; but this was probably not a fortress.

Excluding, then, the Northmen the problem, as regards Ireland at all events, practically resolves itself into the alternative of ascribing the mottes either to Celtic tribes or to early Anglo-Norman settlers. In endeavouring to solve this problem it is important to observe that this type of fortress was adopted in Normandy in the eleventh century, as the Bayeux tapestry incontestably proves, and that strong reasons have been put forward for thinking that the type was introduced by the Normans into England in that century, in some few cases perhaps before, and in many cases after, the year 1066.⁴ On the other hand, so far as I am aware, no direct evidence has been adduced from the Irish annals or Irish literature or elsewhere showing that a Celtic fortress was ever constructed on a high artificial mound. The type, therefore, is known to be Norman and not known to be Irish.

Inferentially indeed an attempt has been made to identify certain existing fortified mottes with certain 'duns' or 'lisses' or 'raths' mentioned in pre-Norman documents. But in the first place it is important to observe that the supposed Celtic fortress is in each case ascribed to some very early—often, indeed, to some prehistoric—period. Thus the mote near Downpatrick is claimed as being the rath of Celtchar, a hero of the Red Branch cycle of Irish story, referred to about the Christian era. Burgage or Ballyknockan Mote, near Leighlin Bridge, is equated with the *Dinn Righ*, a fort of some entirely prehistoric kings of Leinster, said to have been abandoned even in prehistoric times. The mote at Slane is identified with *Fertafer Feicc* (the graves of Fiacc's men), in existence before St. Patrick's time, and the mote at Donaghpatrick, also in

⁴ I refer to Mr. Round, *Quarterly Review*, July 1894, pp. 27-57; Mr. George Neilson, *Scottish Review*, 1898; Mr. St. John Hope, *Archæological Journal*, vol. lx.; and Mrs. Armitage, *Proc. of the Society of Antiquaries of Scotland*, vol. xxxiv.; and *English Historical Review*, vols. xix. and xx.

Meath, is assigned to the same period. The mote near Lismore is equated with *Dunsginne*, a fortress existing in the year 633. A somewhat similar claim is made for the motes near Rahugh and at Durrow. The mote at Naas is equated with a dun at the same place, supposed to have been built in the mythical period, afterwards the residence of some of the early kings of Leinster, but abandoned by them in the year 907. The motes at Knockgraffon and Kilfinane are said to be two of the forts of the kings of Cashel, which are mentioned in the 'Book of Rights,' a work, to take the more moderate computation, ascribed to the close of the ninth century. It is a severe strain on our credulity to ask us to believe that a type of fortress, adopted in the eleventh century by the Normans, famous pioneers in the art of war, was known to and adopted by Celtic tribes throughout the first nine centuries of our era, and apparently then abandoned by them. In the next place the method of identification is faulty. It is virtually based on the fact that a mote is to be found at or near—generally only near—the place indicated in the early document. In some cases, indeed, the indication is so vague that the identifier hesitates between widely distant sites, and finally pitches on a mote site, because of the mote. But, unless it can be first shown that fortresses of this type were used by the Irish at these remote times, this method is at best begging the question at issue. Furthermore, in the case of several of these supposed identifications I think I am able to show positively that the rath, dun, or liss mentioned was in all probability situated elsewhere.

Passing, however, from 'the prehistoric theory,' it is, no doubt, *a priori* possible that the Celtic tribes adopted this method of castle-building in the century or so previous to the Anglo-Norman invasion, though nobody, so far as I know, has put this hypothesis forward. Against its adoption it may be noted: (1) There is no documentary description of any such Celtic fortress. (2) This type of fortress would seemingly not be suited to a people who did not use the bow or any weapon more deadly at a distance than a stone or a dart hurled by the hand. (3) We have the direct testimony of Giraldus Cambrensis that even the *fossata* and *castella murata* (by which I understand earthen entrenchments and dry-stone cashels), which he attributes to the Northmen, were in his time deserted. *Hibernicus enim populus castella non curat. Silvius namque pro castris, paludibus utitur pro fossatis.* (4) Though some few pre-Norman fortresses called *caislein*, a word undoubtedly elsewhere used to denote castles, are mentioned in the Irish annals (written in the form which has come down to us long after the event), no mote has been found at any of the sites mentioned, with the exception of Athlone. (5) Though we have two substantially contemporary detailed accounts of the Anglo-Norman invasion there is no mention in either of them, or in the Irish annals, of the siege or assault of an

Irish castle at that period. (6) The distribution of mottes is seemingly inconsistent with any theory of their use by the tribes of Ireland generally, while, as I hope to show, it is entirely consistent with the supposition that they were erected by the early Norman settlers, and exactly what we should expect on that hypothesis.

THE LORDSHIP OF MEATH.

A Hugu de Laci ad done
Mithe tut en erite :
Mithe donat li guerrer
Pur cinquante cheualer.

1174. TRIM, co. Meath.—This was, perhaps, the first considerable fortress erected by the English in Ireland, and fortunately we can gather its nature from the description in the *Song of Dermot*. There we are told that Hugh de Lacy fortified a house (i.e. built a strong house) at Trim, and threw a trench around it, and then inclosed it with a stockade.⁵ He then put a garrison in it, under Hugh Tyrell. Rory O'Connor, however, led a large army against it, and Hugh Tyrell, unable to get help in time, abandoned it. The Irish then burnt the house, which we may infer was a wooden bretesche, and levelled 'the mote' even with the ground,⁶ from which it is evident that the bretesche was on the summit of a mote, or artificial mound of earth. Giraldus Cambrensis also mentions O'Connor's advance into Meath and the destruction of the castles of Trim and Duleek.⁷ Hugh Tyrrell afterwards rebuilt the fortress at Trim.⁸ King John came to Trim on 2 July 1210, and no doubt took the castle into his own hands, as he was then at war with the De Lacies. His writs are dated *apud pratum subtus Trim*, a formula which frequently occurs in John's Irish itinerary.⁹ I do not think it can be inferred from this formula that there was at the time no castle at the places mentioned. There were plenty of castles on the line of his route, and he would naturally arrange to stop where there was one. The formula rather points to the diminutive size of the castles, many of them even then perhaps mere wooden towers, with no great hall in which he could hold his court. Consequently he transacted his business—under an awning, we may suppose—in some neighbouring field. At any rate there was some sort of castle at Trim in 1215, when it was restored to Walter de Lacy.¹⁰ According to Ware's *Annals* the castle of Trim (meaning, probably, the

⁵ *E cil de Laci pus Hugun
A Trym ferma une meisun,
E fosse jeta environ,
E pus l'enclost de hieson.*—Lines 3222-6.

I is afterwards called a *chastel* and the building a *dongun*.

⁶ *La mot firent tut degeler,
Desque a la ters tut verser,
E la meisun tut premer
De fu ardant estenceler.*—Lines 3800-4.

⁷ Gir. Cambr. vol. v. pp. 311-3.

⁸ *Song of Dermot*, ll. 3338-9. *Sa forcelette referma.*

⁹ The formula occurs at Dublin, Grenoge, Trim, Kells, Louth, Dundalk, and Downpatrick.

¹⁰ *Calendar of Documents relating to Ireland*, vol. i. no. 612.

first important stone castle) was built in 1220; and this agrees with a royal mandate, dated 30 March 1224, that Walter de Lacy should have 'the hall, houses, and chambers in the castle of Trim' for himself and his retinue to dwell in while fighting the king's enemies.¹¹ From this time the castle appears to have been the principal one in East Meath. The extensive buildings, constructed at various periods, still standing on the high ground over the right bank of the Boyne, at the east end of the town, include, no doubt, the site of Hugh Tyrell's mote.¹²

1174. DUVELESCENSE CASTRUM : Duleek, co. Meath.—Mentioned by Giraldus as having been destroyed by Rory O'Connor at the same time as Trim, and repaired by Raymond le Gros.¹³ It too was one of John's stopping places (9 August 1210). I have seen no reference to a stone castle here, nor are there any remains of one. According to information obtained on the spot by Mr. Stallybrass there was a steep mote here about eighty years ago, but it was carted away for sand. It was in the village, in an angle formed by a stream and the Nanny river, and some slight traces of it remain.

1176. SLANE, co. Meath.—This castle was erected for Richard the Fleming, ancestor of the barons of Slane, in or previous to this year. Its destruction is recorded at length in the *Song of Dermot*, from which account we can glean its nature, and the date is supplied by the *Annals of Ulster*. The former tells us that *un mot fist cil* (Ricard le Flemmeng) *jeter pur ses enemis grever*, but the Irish of the northern districts attacked him in large force, destroyed *la meyson* (the bretesche), and killed the garrison.¹⁴ We have here, as in the case of Trim, positive evidence that this *caislén*, as the Irish annalists call it, consisted of a mote and bretesche. There is at Slane, on the top of the hill not far from the monastery, a mote about twenty-eight feet high, formed of earth and rock splinters, girt by a fosse cut in the rock, from sixteen to eighteen feet wide and from six to ten deep, with a slight outer rampart, and an inclosure within a second slight fosse and rampart somewhat eccentrically placed. The level summit of the mote is ninety feet across, and has a very slight rampart.¹⁵ As I have already pointed out¹⁶ the townland immediately adjoining this part of the demense to the north is called Brittown, which seems to be the Meathian form of Ballybrittas, the town of the bretesche, and to point to this mote as the earthwork on which the bretesche stood which gave rise to the name. Further consideration induces me to add that the fact of the fosse having been actually cut in the rock, and the mound largely formed of the rock splinters presumably so obtained, seems to point to a defensive purpose in the original erection of the mound. It is not easy to suppose that such an unnecessary labour would have been undertaken for a sepulchral tumulus.

1176. GALTRIM : a townland and parish in the barony of Deece, co. Meath.—The Irish annals tell us that immediately after the destruc-

¹¹ *C.D.I.* vol. i. no. 1176; cf. no. 1203.

¹² See Dean Butler's *Castle of Trim* for many interesting notices, mostly from records, concerning the castle and its vicinity.

¹³ *Gir. Cambr.* vol. v. p. 313.

¹⁴ *Song of Dermot*, ll. 3174-201.

¹⁵ For a full description and section of the mote see Mr. Westropp's paper, *Journ. R.S.A.I.* 1901, p. 416.

¹⁶ *Ante*, vol. xxi. (1906), p. 424.

tion of Slane Castle the castles of Kells, Galtrim, and Derrypatrick, all in Meath, were razed or left desolate through fear of the Kinel-Owen.¹⁷ The barony of Deece appears to have been granted by Hugh de Lacy to Hugh de Hose, afterwards Hussey, ancestor of the barons of Galtrim. There is a mote in the demesne of Galtrim House, in the townland. It is about thirty feet high. The top is a flat oval about 115 feet by 82 feet, with a rather deep depression, suggesting that there was a souterrain which has fallen in. No rampart or ditch is now traceable. There are no castle remains in the neighbourhood. Mulhussey Castle, about eight miles away, is a ruin of considerable extent, which has comparatively recently been restored as a dwelling house (Mr. Joseph H. Moore, county surveyor, Meath). Mr. Stallybrass's plan, however, shows traces of a fosse round three-quarters of the mote of Galtrim and traces of a heart-shaped bailey to the south-east.

CENNANUS: Kells, co. Meath.—An English castle was 'in process of erection' at Kells in 1176, but in the same year, after the destruction of the castle at Slane, it 'was razed and left desolate.'¹⁸ No further early mention is made of it, so it was perhaps never completed. In 1210 King John stopped at Kells, and his writs are dated *apud pratum subtus Kendles*. He may have stopped at the monastery. O'Donovan says, 'The Castle of Kells (or rather re-edification of it) stood not many years since opposite Cross Street, in the town of Kells, but no part of it now remains.'¹⁹ There is now no mote at the town of Kells.

CAISLÉN DOIRE PATRAIC: Derrypatrick, a townland in the parish of the same name, barony of Deece, co. Meath.—The site of a castle is marked on the map near the church ruins, but I am told there is no mote here, and that the site is noticeable only by the roughness of the ground. This district appears to have been granted by Hugh de Lacy to Leonisius de Bromiard, who gave to the Abbey of St. Thomas, Dublin, a number of churches, including that of 'Derpatrick,' or 'Derepatrick,' and those of the neighbouring parishes of Kilmore, Culmullin, and Kiltale.²⁰ The *caput* of the manor was probably at Kilmore. I have found no further mention of a castle at Derrypatrick.

Speaking of the year 1181, Giraldus says *Hactenus enim Media plurimum, Lagenia parum fuerat incastellata*. The only castles in Meath which he has hitherto mentioned by name are Trim and Duleek. In 1182, however, he says that Hugh de Lacy erected *in Media vero castellum de Clunarech, castellum de Kilair, castellum Adae de Futepoi, castellum Gileberto de Nungent, et alia multa quae singula per ordinem enumerare longum esset*.²¹

1182. CASTELLUM DE CLUNARECH (or better, with some MSS., CLUNARET): Clonard, co. Meath.—This was the seat of a famous monas-

¹⁷ The Irish word *ro-fasaighiti*, translated 'razed' by MacCarthy, 'left desolate' by O'Donovan, and 'deserted' by Hennessy, simply means 'was laid waste' (*fasach* = a wilderness or waste place) or destroyed.

¹⁸ *Ann. Ulst., Ann. Loch Cé*, 1176.

¹⁹ *Four Masters*, 1176, note *t*. It was in existence circa 1746; *Journ. R.S.A.I.* 1892, p. 129.

²⁰ *Reg. St. Thomas, Dublin*, p. 21. This charter was confirmed by Eugenius, bishop of Clonard (1174-94), and the confirmation witnessed by Hugo de Lacy, which fixes its date prior to 1186.

²¹ *Gir. Cambr.* vol. v. p. 356.

tery in early times. It was refounded by the De Lacies in the twelfth century. In 1200 'Clonard was burned to injure the English who were in it.'²² This may refer to the new monastery, or to the castle. Clonard was one of the castles restored to Walter de Lacy in 1215, and in 1245 it belonged to Isabella de Beaufort.²³ Not far from the church site and close to the river is a conspicuous mote, about thirty-three feet high, surrounded by a wide ditch and a rampart. The latter in one place takes the form of a low rectangular platform (bailey), forty-two by sixteen paces.²⁴ There are no remains of a stone castle.

1184. CASTELLUM DE KILAIR: now Killare, barony of Rathconrath, co. Westmeath.—It would appear from Hugh de Lacy's charter to William le Petit that Killare was then retained in the hands of the former.²⁵ The erection of the castle of *Cillair*, or *Cellfair*, is mentioned in the annals under the year 1184, and its burning and destruction by the Irish in 1187.²⁶ I have seen no further record of a castle here. Nor are there any remains of a stone castle. There is, however, a conspicuous mote, about thirty feet high, on the spot, with well-preserved ditch and rampart, but no remains of a bailey.

CASTELLUM ADAE DE FUTEPOI: Skreen, co. Meath.—Hugh de Lacy gave Adam de Feipo (afterwards written Phepo) 'Scrin,' now Skreen, near Tara, where Adam and his heirs afterwards lived as 'barons of Skreen.'²⁷ There is a mote, with slight traces of a bailey, in the grounds of Skreen Castle (Mr. Stallybrass). From the charter to William le Petit above referred to, it appears that Bauakonil (Ir. *Rubhachonail*), now Rathconnell, Westmeath, was granted to Adam de Totipon (probably the Adam de Futepoi of Giraldus).²⁸ There is a mote at Rathconnell Court (Rev. H. W. White).

CASTELLUM GILLEBERTO DE NUNGENT: Castletown Delvin, co. Westmeath.—Gilbert de Nugent, ancestor of the marquis of Westmeath, was granted *Delvin totam quam in tempore Hibernicorum O'Finelani tenuerant* for the service of five knights.²⁹ At Castletown Delvin, in Westmeath, there is 'a mote, with garden at the base, which may have been the bailey. Near it is the stone castle, a keep with round towers at the angles, probably not as early as John's reign' (Mrs. Armitage). This latter is probably the castle at 'Delven' for the fortification of which one year's service of Meath was ordered to be given to Richard de Tuit in 1220.³⁰ Such orders, of which there are several, seem to give us dates for the first stone castles. The Richard de Tuit mentioned was *iure uxoris* third baron of Delvin.

Five of the above mentioned castles, viz. Trim, Slane, Galtrim, Skreen, and Delvin, or at least the feoffees of the lands, are named in the *Song of Dermot*. If we go through the rest of the passage giving the subinfeudation of Hugh de Lacy's lordship,³¹ and, where possible,

²² *Four Masters*, 1200. ²³ *C.D.I.* vol. i. nos. 612, 2762. ²⁴ Mr. Stallybrass's plan.

²⁵ MS. Ayscough, 4792, Brit. Mus., transcribed *Song of Dermot*, p. 309.

²⁶ *Ann. Ulst.* 1184; *Four Masters*, 1184, 1187.

²⁷ *Song of Dermot*, ll. 3156-7 and note.

²⁸ *Ante*, vol. xxi. (1906), p. 425.

²⁹ See the charter transcribed in Butler's *Trim Castle*, p. 252, and translated from an old copy in the Clarendon collection in Lynch's *Legal Institutions*, p. 150; compare *Song of Dermot*, l. 3158, and *Four Masters*, 1174, note w.

³⁰ *C.D.I.* vol. i. nos. 884, 970.

³¹ *Song of Dermot*, ll. 3132-77.

identify the castle sites indicated, we shall obtain several other castles whose erection is attested, or I think may safely be inferred, within the period.

CHASTELENOC: now Castleknock, a townland in the parish and barony of the same name, near Dublin.—It is probably the place called *Cnucha* in Irish literature and in the annals,³² but I do not think it was called *Caislén Cnucha* in pre-Norman times. It was granted to Hugh Tyrrell,³³ and the site of his fortress is described by Mrs. Armitage as 'an oval motte, walled round the top, carrying a smaller motte (once ditched), on which stands the ruins of an octagonal keep. No other bailey; ditch and bank double for half the circumference.' The Castle of Cnoc was more than once ordered to be prostrated by John and Henry III, but it appears that this was not done.³⁴

MULLINGAR.—This was the *caput baroniae* of Magheradernon, co. Westmeath, corruptly written 'Macherueran' in the *Song of Dermot*. The barony was granted to William le Petit, whose successors were known as 'barons of Mullingar.' In 1207 William le Petit was granted a fair at 'Admulingar,' and in 1228 Nicholas le Petit was granted a free warren in the demesne of his manor of 'Admolinger.'³⁵ The remains of the castle of Mullingar, known as Petit's Castle, and a large mote which stood near it were cleared away in 1828 to make room for the now dis-used gaol.

RATHKENNY: a townland and parish in Meath.—This is one of the three places granted to William le Petit. The third, *Chastel Brec*, I cannot identify. In 1228-9 Nicholas le Petit was granted a weekly market at his manor of Rathkenny.³⁶ There are some remains of a late castle on a bank above a river at the village of Rathkenny, but no certain trace of a mote. A field across the river, however, is called the 'Moat Field,' and just beyond, close to Rathkenny House, is marked on the map 'Site of Rathkenny Fort.' This may have been a mote. There seems to have been another Rathkenny in Meath. A document in the *Chartulary of St. Mary's Abbey, Dublin*, dated 1246, is headed 'Rathkeni que nunc vocatur Teltyn in Machyrgalyn.'³⁷ This Teltyn is certainly Teltown, adjoining Donaghpatrick, on the northern bank of the Blackwater above Navan, and it may be that the great mote of Donaghpatrick was William le Petit's fortress. I lay no stress on this conjecture, which indeed is not securely founded, but, as this is one of the motes for which Mr. Westropp claims a pre-Patrician existence, it may be useful to point out that the references he gives do not in the least support his contention.³⁸ The Tripartite Life says, 'Thereafter Patrick went to Conall, son of Niall. There was *his station* in the place wherein stands Domnach Patraic

³² *Four Masters*, 3579, 726, 917. The name Cnucha is said to be derived from the wife of a Firbolg king who died and was buried there, let us say, nineteen centuries B.C. It does not follow that the earthworks any more than the stone castle have to be ascribed to that misty period.

³³ *Song of Dermot*, ll. 3132-3.

³⁴ *C.D.I.* vol. i. nos. 515, 841, 1046, 1047, 1139.

³⁵ *Ibid.* vol. i. nos. 330, 1673. I owe this important information as to the mote and castle of Mullingar to Mr. James Tuite, M.P., a resident in the town. He got it when a boy from an old man named Ward, also a resident. The date is from Lewis's *Topogr. Dict.*

³⁶ *Ibid.* no. 1673.

³⁷ Vol. i. p. 199.

³⁸ *Journ. R.S.A.I.* 1904, p. 327.

to-day. Then did Conall measure out a church for God and Patrick with 60 feet of his feet.'³⁹ The reference to the annals *anno* 745 also clearly refers to the church, and not, as Mr. Westropp contends, to the fortress—'profanation (or forcible entry) of Domnach Patraic.' A fortress could not be called *domnach* (*dominica*), the regular word for one of St. Patrick's churches. Besides the word *sarughadh*, 'profanation,' seems to be regularly used in the annals with reference to a church or religious sanctuary. It is so used even in the passages which Mr. Westropp quotes to prove the contrary. Finally the deeds referred to by Mr. Westropp in the *Register of St. Thomas* relate not to Donaghpatrick, but to Donaghmore near Greenoge, in the barony of Ratoath, and to Donaghmore on the Boyne, near Navan. I cannot, however, connect William le Petit with the mote of Donaghpatrick. The individual owner is of little consequence, but Donaghpatrick was an important manor in the possession of Roger le Poer before 1231, and embraced lands in the adjoining parishes.⁴⁰

1192. ARDNURCHER: a townland in the parish of Ardnurcher, also called Horseleap, co. Westmeath.—This district was granted to Meiler FitzHenry. According to the Irish annals *Caislen Atha an Urchair* was erected in 1192, and in 1207 Meiler, after a siege of five weeks, was forced to surrender it to the sons of Hugh de Lacy, and 'was banished from the country.' Lands here under the name of 'Atornorohor' were included in Meiler's grant to the Abbey of Connall, which he founded.⁴¹ The castle was, I think, restored to Walter de Lacy in 1220.⁴² The castle site is well known. It is on the end of a ridge, from the back of which it is cut off by a double trench. It includes an oblong mote with flat top, 25 × 12 paces. The summit is about 80 feet above the ditch at the upper side, and 47 at the lower, where there is a railway cutting. There is a small high bailey at one side, with two pieces of a massive wall, one at each side of the ditch. These fragments of masonry are composed of large stones with big joints, and are probably Norman. They may be, as O'Donovan thought, the piers of a draw-bridge.⁴³ There are traces of another rectangular bailey at the opposite side of the mote.⁴⁴

NOBBER: a townland and parish in the barony of Morgallion, co. Meath (*an obair*=the work. The *n* of the article is incorporated with the name, as in Newry, the river Nore, &c.) The name is not, I think, mentioned in pre-Norman times. It seems to have been called 'Lober' or 'le ober'

³⁹ The word translated 'station' by Stokes is *sosad*. It simply means 'a resting-place,' 'an abode,' and does not imply a fortress at all. In the *Lebar Brecc* homily the word used is still less definite, *inad* = *locus*. At any rate Donaghpatrick Church is not on the top or within the precincts of the mote.

⁴⁰ See *Chart. St. Mary's Abbey, Dublin*, vol. i. no. 242 (where *Duuenach Patric* is absurdly identified by the editor with Downpatrick), and cf. nos. 171-8, 241. The tenement embraced Rathkeni or Rathkerni, Taltan (Teltown), Lisgillan (perhaps the adjoining parish of Clongill), and other places. It is called the *honor de Duuenach-patric* (no. 171).

⁴¹ *C.D.I.* vol. i. no. 273 (confirmation grant *a.* 1205), and cf. no. 3082.

⁴² *Ibid.* nos. 952, 953, 1022 (Adamirthur or Armirthur).

⁴³ *Four Masters*, 1192, note *w*. There are entries of expenses for works and wage at 'Ardnureucher' Castle in the Irish Pipe Roll for the 19th Hen. III.

⁴⁴ From Mrs. Armitage's plans and notes.

with the French article,⁴⁵ and is often called 'the Obber,' probably in reference to the Norman stronghold. The whole of 'Makerigalin,' now Morgallion, was granted to Gilbert de Nangle, who gave the church of St. John of Nober to the Abbey of St. Thomas, Dublin. In 1196 Gilbert de Nangle was expelled from Meath, and the castle of Nober was one of those restored to Walter de Lacy in 1216.⁴⁶ At Nobber 'there is a motte about 25 feet high and a portion of bailey, with wing banks going up the motte. No stone castle' (Mrs. Armitage).

LE NOVAN: Navan, granted to Jocelin de Nangle, together with the land of Ardbraccan.⁴⁷ In 1215 his father's land in Novan was confirmed to Philip de Angulo (Nangle) by King John.⁴⁸ The town grew up, was walled, and remained under the protection of the Nangles for many centuries. The abbey of St. Mary here is said to have been founded by Jocelin de Nangle, but there is no record or remains of any stone castle in the town. I have already described the conspicuous mote here with its lune-shaped bailey, due, perhaps, to the configuration of the natural hill.⁴⁹

1199. GRANARD, co. Longford.—Erected by Richard de Tuit as a stronghold against O'Reilly in South Breifny.⁵⁰ In 1210 Richard de Tuit founded the Cistercian abbey of Larha (Abbeylara), near Granard. In the same year, on 12 August, King John stopped *apud Grenard, castrum Ricardi de Thuit*. Next year, 1211, Richard de Tuit was killed by the fall of a tower during the building of a stone castle at Athlone.⁵¹ Grenard was one of the castles restored to Walter de Lacy in 1215, but I find no subsequent mention of a castle here. O'Donovan says, 'The most remarkable feature of antiquity now to be seen at Granard is a large moat with a considerable part of two circumvallations around it. It is said that this moat was opened about fifty years ago, and that the arched vaults of a castle were found within it, built of beautiful square stones, which are well cemented with lime and sand mortar.'⁵² The mote is about forty feet high. There are traces of a shell keep on the top and of a small round tower in the centre. There is an ordinary fan-shaped bailey, and then this and the mote and a considerable space besides are almost surrounded by a large irregular earthwork.⁵³ There are no other castle remains at Granard.

RATHWIRE: a townland in the barony of Farbill, co. Westmeath.—'Ratwor' was given to Robert de Lacy.⁵⁴ King John stopped here on 14 August 1210, *apud Ratwer*, and received hostages from Cathal Crovederg O'Conor.⁵⁵ Even in 1682 'some portions of the outwalls and heaps of rubbish' were all that remained of the ruins of what seemed to have

⁴⁵ C.D.I. vol. i. no. 704, where 'Cnoc in the honour of Lober' may be the parish of Knock in Morgallion; cf. no. 625, and see *ante*, vol. xxi. (1906), p. 423.

⁴⁶ C.D.I. vol. i. no. 719.

⁴⁷ *Song of Dermot*, ll. 8144-5.

⁴⁸ C.D.I. vol. i. no. 673.

⁴⁹ *Ante*, vol. xxi. (1906), p. 488.

⁵⁰ Dublin copy of the *Ann. Inisfallen*, quoted in *Four Masters*, 1199, note s; cf. *Ann. Loch Cé*, 1199.

⁵¹ *Chart. St. Mary's Abbey, Dublin*, vol. ii. pp. 279, 312, and *Four Masters*, 1210.

⁵² *Four Masters*, 1262, note o.

⁵³ Mrs. Armitage's plan.

⁵⁴ *Song of Dermot*, ll. 3150-1.

⁵⁵ C.D.I. vol. i. no. 407; *Four Masters*, sub anno 1209.

been 'a strong, well-built fort.'⁵⁶ Mr. Stallybrass recognised 'a motte and bailey, with considerable remains of foundations in the bailey, and one wing wall going up the motte.'

1192. KILBIXI: a townland in the parish of the same name in the barony of Moygoish, co. Westmeath.—This district was granted to Geoffrey de Constantine, who founded a priory of canons regular at Tristernagh, in the neighbourhood, and the *Caislen Cille Bigsighe* was erected in 1192.⁵⁷ O'Donovan in 1837 found here 'the site of a castle, but no remains of its walls,' and 'a moat surrounded by one circular fosse.'⁵⁸ This mote is marked on the map, also the site of Kilbixi town in 'Burgess land.' Sir Henry Piers, writing in 1682, says, 'There is here a large piece of an old square castle called Burgage Castle, and forty acres of ground adjoining to it, called also the Burgage land.'⁵⁹ We shall find this significant denomination in connexion with other motes.

DOLLARDSTOWN: a townland in the parish of Painestown, barony of Lower Duleek, co. Meath.—There can be little doubt that this was the manor of Adam Dullard, who was given the land of 'Rathenuarthi' by Hugh de Lacy.⁶⁰ There is a mote at Dollardstown of the terraced type. It is 21 feet high, with a slight rampart round the top. About 12 feet lower there is a terrace 20 feet wide, with a low rampart all round the mote. Then after another drop there is a second terrace 15 feet wide, with a banking wall of cobbles on the outside.⁶¹

KILBEG: now a parish in Kells Lower, co. Meath.—Adjoining the churchyard in the townland of Moat, in the parish of Kilbeg, is a very high mote (Canon Healy). I think this may be the site of a castle built by Thomas de Craville, to whom Hugh de Lacy gave 'Emlagh Beccon, north-east of Kells.' The parish of Kilbeg adjoins that of Emlagh and seems to contain the only church site. A commandery of the Knights of St. John of Jerusalem was afterwards founded here by Walter de Lacy, and was made a cell of that of Kilmainham, near Dublin. Hence the parish has the alternative name of Kilmainham Beg. This identification is of course conjectural, and I only mention it to complete the list of names and places mentioned in the *Song of Dermot*.

1191. RATHCUANARTAIGH: now corruptly Rathconrath, a village and townland in the parish and barony of the same name, co. Westmeath.—A castle was built here in 1191.⁶² It is the place corruptly written Ratheimarhi in the *Song of Dermot*, and correctly anglicised Rathconarty in the ecclesiastical taxation of Meath. The name means 'the rath of the hounds.'⁶³ I have not met with any further reference to a

⁵⁶ *Collectanea de Rebus Hibernicis*, p. 61.

⁵⁷ *Song of Dermot*, 3154-5 and note; *Ann. Loch Cé*, 1192.

⁵⁸ *Four Masters*, 1192 and note x.

⁵⁹ 'Chronographical Description of Westmeath,' in Vallancey's *Collectanea de reb. Hib.* vol. i. p. 76. According to a plan supplied to me by Mrs. Armitage the mote is twenty-seven feet high, and contains on the top the foundations of a wall inclosing a rectangular space of 15 × 10 paces, with foundations of a building twelve feet square in the centre.

⁶⁰ *Song of Dermot*, ll. 3164-5, and see note. The adjoining townland of Painestown, giving name to the parish, probably represents Paganstown, so called from Pagan Dullard or Dollard, Adam's brother (*Chart. St. Mary's, Dublin*, vol. i. p. 69).

⁶¹ Mrs. Armitage's plan.

⁶² *Ann. Loch Cé*, 1191.

⁶³ Joyce, *Names of Places*, vol. ii. p. 43.

castle here. There is a mote marked on the map close to the church at Rathconrath.

1186. DURROW, King's County.—It was while viewing this castle immediately after its completion that Hugh de Lacy was murdered.⁶⁴ The site was that of an old Columban monastery. A plan showing the mote and the existing remains of the earthen inclosure, which latter may have been originally thrown up in the usual way around the monastery, was published in a paper by the Rev. Sterling de Courcy Williams.⁶⁵ The Castle of Durrow was 'finished and aided' in 1218.⁶⁶ I find no further reference to a castle here. In 1282 the manor of Deruagh belonged to the bishopric of Meath, but it was partly waste owing to the Irish.⁶⁷

CASTLE OF KILLAMLUN.—On 1 February 1214-5 a mandate was sent to Henry, archbishop of Dublin, 'to distrain William de Tuit to render account of [to ?] the king's exchequer, Dublin, or to come before the king to answer B. and H. de Tuit touching the money, rings, and gold found in the Castle of Killamlun.'⁶⁸ The question was evidently one of treasure trove, and the mention of rings suggests that the articles found were Celtic. I think Killamlun is now represented by Killallon, a parish in the barony of Fore, co. Meath. The parish adjoins part of Castletown Delvin, and Richard de Tuit was *iure uxoris* third baron of Delvin. There is too a large mote at Killallon which, if the identification be correct, would seem to throw some light on the treasure trove; for there is a souterrain in the mote at Killallon which may possibly be of Celtic construction. Unfortunately permission was refused to Mr. Rotheram, from whom my information is derived, to reopen it. He examined, however, the mote in the townland of Moat, parish of Killeagh, near Oldcastle, where there is also a souterrain of dry stonework similar to the souterrains frequently found in Irish raths, except that the entrance passage is on the side of the mound quite low down, whereas usually you step into the opening from above and descend to the chamber. This induced Mr. Rotheram to think that 'these two moat caves were not built by the same people who constructed those round Slieve na Cailliagh, or else they were made at a different period.'⁶⁹ From drawings of the Killeagh mote, however, supplied to me by Mr. Rotheram I think it probable that the mote was thrown up inside a Celtic rath abutting against the embankment on one side, and that the souterrain, which is at the base of the mote on the outer side and on a level with the floor of

⁶⁴ See *Four Masters*, 1186, where all the authorities are collected in the note.

⁶⁵ *Journ. R.S.A.I.* 1899, p. 232. The writer also gives a translation by Mr. Whitley Stokes of an interesting Irish poem, ascribed to St. Columba, which tells how the monks made 'dykes (mounds) in Durrow, so that there might not be a breach therein,' and how they put stakes 'in a comely row on every side around the monastery.' There is no mention of anything that could be called a mote. Evidently they surrounded the monastery with an earthen vallum surmounted by a palisade.

⁶⁶ *Ann. Clonmacnois*, 1218; *Ann. Loch Cé*, 1214. ⁶⁷ *Irish Pipe Rolls*, 10 Ed. I.

⁶⁸ *C.D.I.* vol. i. no. 529. Killallon appears in the ecclesiastical taxation (*C.D.I.* vol. v. p. 267) as 'Killallwyn,' a spelling pointing to an aspirated *m*.

⁶⁹ *Proc. R.I.A.* 1894, p. 305. Mr. Rotheram did not reach a chamber at Killeagh. The souterrain was broken down and he was not allowed to excavate.

'the rath bailey,' may have belonged to the rath. The souterrain at Killallon, I understand, is in a similar position, but I have no drawings of it. A detailed examination is much to be desired. If the souterrain should prove to belong to a Celtic rath it might account for 'the money, rings, and gold' found in the Castle of Killallon.

In the year 1215, or soon afterwards, Walter de Lacy's castles in Meath were restored to him, and a list is given in the *Calendar*. The following castles are mentioned: Drogheda (which, however, remained in the king's hands till 1217), Laghelachon, Loxhundy, and Hincheleder; Clunard; Grenard, Kilmore, and Favorie; Trum; Nober, Ratouth, and Typermesan.⁷⁰ The castles of Clonard, Granard, Trim, and Nobber have already been dealt with, and in each case a mote is in existence or on record.

DROGHEDA.—The Mill Mount, on the Meath side, is an artificial mound, and there is a circular bailey on the west side, against which the town wall abuts. This mote figures in Cromwell's account of the storming of Tredagh, where he describes it as 'a place very strong and of difficult access, being exceedingly high, having a good graft, and strongly palisadoed.'

LOXHUNDY—more correctly written Logseuethy (*Cal.* no. 698)—is now known as Loughsewdy, or Ballymore Loughsewdy, or Ballymore, and the lake appears on the map as Lough Sunderlin, in the barony of Rathconrath, co. Westmeath.⁷¹ There is a mote at Ballymore (Rev. H. W. White). This was the chief manor in Westmeath after the partition, when it belonged to Theobald de Verdun.⁷²

LACHELACHON.—This place has not been identified. Can the name now be represented by Loughan, a parish, also called Castlekieran, on the border between Meath and Breffny?⁷³ At any rate there is a remarkable mote with a high bailey here, called by Mr. Westropp Derver Mote.

HINCHELEDER.—This name appears as Inchelefyre and Incheleffer in the *Calendar*.⁷⁴ It was perhaps an island fortress, but I have not identified it.

KILMORE.—I think this place must be Kilmore near Lough Oughter, co. Cavan. A royal letter of the year 1224 enables us to identify it.⁷⁵ It was written by William Mareschal the younger, earl of Pembroke, who was made justiciary and sent over to Ireland to cope with Hugh de Lacy,

⁷⁰ *C.D.I.* vol. i. nos. 596, 612, 719.

⁷¹ See *Four Masters*, 1450, note p.

⁷² *C.D.I.* vol. ii. no. 2808, where the name is printed 'Loxinedy' and equated by the editor with Lough Shinnny (co. Dublin), where Mrs. Armitage, thus misled, in vain looked for a mote.

⁷³ The name seems to represent *Loch na Lachan*, 'the lake or pool of the ducks.' This name has become Loughloughan, in Antrim. See Joyce, *Names of Places*, vol. i. p. 488. It may have been shortened into Loughan, in Meath.

⁷⁴ *C.D.I.* vol. ii. nos. 1635, 2808.

⁷⁵ *Ibid.* vol. i. nos. 1203, 1204; and cf. nos. 1174, and 1184, where the king of Connaught complains of William de Lacy's occupation of this district. Walter de Lacy (the loyal brother) appears to have attacked the Crannog O'Raighilligh in 1220 and taken hostages (*Ann. Loch Cc*), and the same annals call the crannog constructed by William de Lacy in 1223 Inis-Laodhachain. This was, perhaps, the same crannog as that mentioned in the royal letter, or if not was probably near it.

the dispossessed earl of Ulster, who had come to Ireland to attempt to regain his position by force of arms. The letter tells how Hugh de Lacy's relations and adherents were captured in a castle called Cronoc Orauly (*Crannog O'Raighilligh*, a stockaded island in Lough Oughter), and in the castle of Kilmore, which must have been in the neighbourhood. Mr. Westropp records a mote here,⁷⁶ which would be hard to account for, were it not for this royal letter. As it is, the existence of this outlying mote at the site of this outlying castle is very significant. The Castle of Kilmore was presumably in existence before 1215, when it was ordered to be restored to Walter de Lacy, and it was probably to secure his position here that he made a hosting to O'Reilly's crannog and took hostages there in 1220. The castle was, however, 'broken' by O'Reilly in 1225 or 1226,⁷⁷ and we hear no more about it. The attempted encroachment of the English in this direction failed.

FAVORIE, or rather Favioria, is a latinised form of the Irish Fabhar or Fobhar [Feichin], now anglicised Fore, a townland and barony in Westmeath. It was the site of an ancient priory founded by St. Fechin, which Walter de Lacy made a cell of the Abbey of St. Taurin, in Normandy. The castle was probably erected before 1210, when Four was one of John's halting places; possibly not long after 1176, when it 'was wasted by the Foreigners and by the Ui Briuin.'⁷⁸ I do not find any other early notice of a castle here after 1215. There is a mote here, marked on the map with a square-shaped bailey, the walls of which appear to be continued up the mote.

RATOUTH: Ratoath, a townland (Ratoath manor) giving name to a parish and barony in Meath.—The church here, with a free messuage and burgages, was granted to the Abbey of St. Thomas by Hugh de Lacy the younger about the year 1200.⁷⁹ The castle is frequently mentioned down to 1226, but not, I think, afterwards. A mote is marked on the map near the church.

TYPERMESSAN: perhaps Kilmessan, co. Meath, where there is a mote marked on the map. It is at the back of the houses in the village, and is now nearly all cut away (Canon Healy). I find no other mention of this castle.

I have made the foregoing list of early attested castle sites in the lordship of Meath as complete as I can, and with hardly an exception I find a mote, or good evidence of the former existence of a mote, close at hand in each case. Moreover the list covers the large majority of motes that I can find mentioned in Meath. Of the remaining motes on my list those at Moylagh and Diamor (O.S. 15) have the ruins or foundations of castles on their summits, and that at Castlelost (O.S. 89) in the bailey,⁸⁰ while others, such as Castletown Kindalen (O.S. Westmeath 82), Oldcastle

⁷⁶ *Ancient Forts of Ireland*, appendix with map, p. 145.

⁷⁷ *Ann. Loch Cé* gives both dates (*Ann. Ulst.* 1226).

⁷⁸ *Ann. Ulst.* 1176; cf. *Gir. Cambr.* pp. 134, 354, where the name is spelled Fovera.

⁷⁹ *Reg. St. Thomas, Dublin*, p. 8, probably in confirmation of a grant by his father. It was an important manor of the De Lacies.

⁸⁰ For Moylagh and Diamor my authority is Canon Healy of Kells. See too for Moylagh, *R.S.A.I.* 1870-1, p. 574, and for Castlelost, *Irish Penny Magazine*, 1833, p. 393.

(O.S. 9), Cruicetown (O.S. 5), Dunsany (O.S. 87,) and Dunsoghly (O.S. Dublin 14) were at the *capita* of early manors.⁸¹

It is, I think, evident that Hugh de Lacy's lordship was *plurimum in-castellata* even before the close of the twelfth century, with fortresses of the mote and bretesche type. In the words of the *Annals of Loch Cé* (1186), 'Meath, from the Shannon to the sea, was full of castles and of Foreigners.' Trim, in the centre of East Meath, seems to have been the *caput*, as it certainly was after the erection of the stone castle. In the main the other sites were probably chosen with reference to each manor, but some on the frontiers seem to have had a wider strategic purpose. These perhaps were Drogheda, Nobber, Derver, Oldcastle, and Granard on the northern border, and Moate, Ardnurcher, Durrow, Rahugh, Castlelost, and the Pass of Kilbride on the southern. Athlone and Clonmacnois, closing up the circuit to the west, were perhaps a little later, and will be mentioned by-and-by.

Turning now to the lordship of Leinster we may first notice two very early fortresses, built before the arrival of Strongbow, and before any part of the country can have been regarded as conquered. As will be seen they were of a different type.

THE LORDSHIP OF LEINSTER.

Li quens de grant valor
Homage fist a sun seignur :
Leynistere lui ad grante,
Li riche reis en herite.

1169. KARRECH : Carrick on Slaney, or Ferry Carrig, co. Wexford.—This was the first (recorded) fortress erected by the Anglo-Normans in Ireland. Giraldus Cambrensis tells us it was constructed by Robert Fitz Stephen soon after the arrival of Maurice FitzGerald. He calls it a *municipium*, and says that it was built 'on a steep rock called Karrech, about two miles from Wexford, in a place strong by nature and strengthened by art.'⁸² There can be no doubt that this is the rock on the right bank of the Slaney two miles above Wexford, in the parish of Carrick. The *Song of Dermot* speaks of it as a *chastel sur Slani* at *Karret* (read Karreo).⁸³ The rock descends steeply on the river-side, and the platform on the top is cut off on the land side by a deep fosse banked on the inner side.⁸⁴ FitzStephen was deprived of Wexford and the adjacent lands by Henry II in 1171, and the place appears to have been given up to Strongbow in 1178.⁸⁵ A stone castle was afterwards erected

⁸¹ Castletown K. is 'fifty feet high, with crescent annexe' (Westropp); Oldcastle similar, but smaller (see *Tomb of Ollank Fodhla*, by E. A. Connell, p. 4); Cruicetown is marked on the map in the demesne near the church; Dunsany is 'very large, defaced by later buildings' (Westropp).

⁸² Gir. Cambr. vol. v. p. 245; cf. p. 270.

⁸³ *Song of Dermot*, l. 1397, where the fortification is attributed to Maurice Fitz Gerald, and l. 1778.

⁸⁴ For a description of the place and the subsequent history, with plans and description of the existing tower on the opposite or left bank of the river, see a notice by the present writer in the 5th vol. of Hore's *History of Wexford*, pp. 22-24.

⁸⁵ Gir. Cambr. vol. v. pp. 278, 298.

on the spot and became the *caput* of the manor of Carrick in the hands of the Mareschals and the De Valences and other lords of the liberty of Wexford. Probably, however, considering the natural strength of the position, no high mote was at any time thought requisite. Giraldus further describes FitzStephen's fort as a *municipium immunitissimum virgis tenuiter et cespite clausum*,⁸⁶ and the Irish abridgment of the *Expugnatio Hibernica* in the parallel passage says that FitzStephen was 'without any fortress save a dyke of clay and a hedge of thorn and a single low wall of lime.'⁸⁷

1170. DUN DOMHNAILL: now Baginbun Headland, on the south coast of Wexford.—About 1 May 1170 Raymond le Gros landed at a sea cliff to the south of Wexford, called by Giraldus Dundunnolf and in the *Song of Dermot* Dundonuil, Domdonuil, or Dundounil.⁸⁸ I have already given my reasons for identifying this place with the headland of Baginbun.⁸⁹ Here, according to Giraldus, he erected a *castrum, tenue satis ex virgis et cespite*. The Irish abridgment of the *Expugnatio Hibernica* gives the correct name of this place, Dun Domhnaill, and adds, '[There Raymond] made a trench of stones and clay, and then they wrought a wondrous work, to wit, a fortalice of wood (*caislén crainn*).'⁹⁰ This *caislén crainn* was evidently a bretesche, and the expression used regarding it indicates that it was a novelty in Ireland. There is a townland called Cashlancran in the parish of Kilmolara, near Ballinrobe, co. Mayo, and not far from the Brittas townland in the parish of Kilcommon. It probably derived its name from a similar structure. The 'trench of stones and clay,' with double rampart, about 240 yards long, may still be seen cutting off the whole headland at Baginbun, while the remains of an earlier Celtic fort, presumably that known as Dun Domhnaill, can be discerned cutting off a minor point of the headland.⁹¹ Here Raymond remained until the arrival of Strongbow on 23 August 1170, and here he successfully resisted an assault by the men of Waterford and their Irish allies. As this was only a temporary fort of the 'cliff castle' type it is improbable that there was ever a mote at Baginbun.

Next we may consider and try to identify the castles in Leinster mentioned by Giraldus. They were built by Hugh de Lacy in his capacity as chief governor after Strongbow's death in 1176. Before this *Lagenia parum fuerat incastellata*.

1177. CASTRUM LECHLINIAE, *super nobilem Beruae fluvium* (the Barrow) *a latere Ossiriae* (i.e. on the west bank) *trans Odranam in loco natura munito*.⁹²—The castle was not, therefore, close to Old Leighlin, which is more than two miles away from the river; nor was it, as is usually supposed, the Black Castle at Leighlinbridge, for that is on the east bank and not in a place naturally strong. The position exactly suits the fort called Ballyknockan, or Burgage Mote, in the parish of Old

⁸⁶ Gir. Cambr. vol. v. p. 286.

⁸⁷ Engl. Hist. Rev. vol. xx. (1905), p. 90.

⁸⁸ Gir. Cambr. vol. v. p. 248; *Song of Dermot*, l. 1405, &c.

⁸⁹ R.S.A.I. 1898, p. 155, and 1904, p. 354.

⁹⁰ Engl. Hist. Rev. vol. xx. (1905), p. 83.

⁹¹ The difference in present appearance between Norman earthwork and earlier Celtic or Scandinavian (?) ones is well illustrated in these two 'cliff castles.'

⁹² Gir. Cambr. vol. v. p. 352.

Leighlin, about a quarter of a mile south of Leighlinbridge. This mote is situated on a sort of promontory on the west side of the river-cutting, with very steep slopes towards the Barrow on the east and towards a stream on the south, and was formed by doing little more than digging a deep trench round it and throwing up a rampart, especially on the west side. I must add that I was in error in doubting that it was a real mote.⁹³ I have since visited it, and find that it is always called Burgage or Ballyknockan Mote. The name of the adjoining place is Burgage House, a significant name, indicating that there was once a *burg* or English borough there, such as generally grew up in the immediate neighbourhood of the more important early castles, and often vanished with them.⁹⁴ The top of the mote is raised some ten feet above the level of the land on the west, and is sixty-nine feet above the Barrow. I thought too that I could trace a large square bailey towards the west. There is a shallow fosse on the top of the cutting made by the stream to the south; the road to the west is in a cutting, and may occupy the fosse here, while there is a rather large field fence on the remaining side, though here the fosse, if it ever existed, has been filled up. O'Donovan's identification of this mote with the Dinn Righ of legendary fame is not satisfactory.⁹⁵ It was based on a statement of Keating's that 'Dumha Slainghe, otherwise called Dionnriogh, was on the bank of the Barrow between Carlow and Leighlin, on the west side of the Barrow.'⁹⁶ Ballyknockan Mote, however, is not between Carlow and Leighlin, but is south of Leighlin Bridge. Again, Tighernach says that Dinn Righ was in Magh Ailbhe, but O'Donovan elsewhere places this plain in the south of Kildare.⁹⁷ However even if Ballyknockan Mote was the fortress which Keating had in view Slainghe is said to have died 1,900 years B.C., and Dinn Righ is said to have been abandoned in entirely prehistoric times, and I think few people will now believe that the earthworks at Ballyknockan can possibly be so old or that Keating's identification was more than an uncritical guess.

Then Giraldus says that just before Hugh de Lacy was superseded in 1181 several castles were built in Leinster. *Erectum est igitur apud Fotheret Onolan primo Castrum Reimundo, et aliud fratri eiusdem Griffino: tertium in Omurethi, Gualtero de Ridenesfordia, apud Tristerdermoth: quartum Iohanni de Clahulla super aquam Beruae, non procul a Lechlinia: quintum Iohanni Herefordensi apud Collacht.*⁹⁸

FOTHERET ONOLAN.—I have elsewhere⁹⁹ given my reasons for identifying this castle, erected for Raymond le Gros, with Castlemore Mote,

⁹³ *Ante*, vol. xxi. (1906), p. 437.

⁹⁴ In Ireland, at any rate, the words *burgus*, *burgagium*, &c., which we often find in connexion with mote sites, do not indicate a Saxon *burgh*.

⁹⁵ *Four Masters*, anno mundi 3267, 4658.

⁹⁶ Keating's *Hist. of Ireland* (Irish Texts Society), vol. i. p. 31.

⁹⁷ *Four Masters*, 526. In the *Book of Rights*, p. 16, note, O'Donovan makes Magh Ailbhe include the northern part of the barony of Idrone, but I suspect that he had no grounds for this southern extension except the supposed site of Dinn Righ.

⁹⁸ *Gir. Cambr.* vol. v. p. 355.

⁹⁹ *Journ. R.S.A.I.* 1906, p. 368. Castlemore Mote is about thirty feet high and is surrounded by a large fosse. The site of a square bailey can be distinctly traced.

near Tullow, co. Carlow, and although this case is a very important one I shall only briefly refer to them here. Raymond and his wife, Basilia, endowed the church of Radsillan, near their castellum of Radsillan, with a carucate of land, and afterwards granted the church and carucate to the canons of the Abbey of St. Thomas, Dublin. In the register of this house are contained a number of charters and documents which prove the identity of the castellum of Radsillan with the castle of Fotheret Onolan¹⁰⁰ and with Castlemore Mote. The boundaries of the parish of 'Villa Castri, in Foorthynolan,' are there given, and I have shown that they are, substantially at any rate, identical with those of the present townlands of Castlemore, Cannonsquarter, and Tullowbeg. Further, the boundaries of the carucate ultimately assigned with the advowson of the church of Radsillan to the canons of St. Thomas are partially given, and, as far as they go, they exactly agree with the townland of Cannonsquarter (which ought, however, I suspect, to be written 'Canonsquarter,' as having belonged to the canons of St. Thomas for many years). These boundaries start *a magna petra que est in orientali parte cimiterii secus viam in boriali usque ad foveam quam prefatus Reimundus perambulavit*.¹⁰¹ The present boundary of Cannonsquarter goes from the graveyard called Lemaneh (*Leim an eich*=Horseleap), on the eastern side of which may be seen the remains of a great rock, which cropped up here, but which has been largely quarried away; it then follows the road from Tullow to Carlow, on the north of the graveyard, to the ditch of Castlemore Mote, about thirty perches distant. If I am right in taking the word *fovea* as equivalent to *fossa*, or at least as denoting some defensive earthwork in connexion with the mote,¹⁰² it would seem to follow inevitably that the fortifications here were Raymond's work and surrounded his castle.

CASTRUM GRIFFINI, Raymond's brother.—Gerald's words would seem to imply that Griffin's Castle was in the same district as Raymond's. From an inquisition in the year 1290 it appears that Raymond 'enfeoffed Griffin FitzWilliam, his brother, of Finnore and Kells in Fothered, for the service of two knights and suit of his court at the castle of Fothered.'¹⁰³ Kells, in Fothered, is now represented by Kellistown, a parish and townland close to Castlemore. I could see no trace of a mote close to the church of Kellistown, but there is a mote in the townland near the road from Tullow to Leighlin Bridge, though no bailey is now traceable. I doubt, however, if this was the place intended by Giraldus. It may have been Knocktopher, in Kilkenny, a manor which belonged to Griffin's son, Matthew, and of which Griffin was probably the original grantee.¹⁰⁴ There is a large mote at Knocktopher, forty feet high. 'There

¹⁰⁰ 'Fothered' was afterwards one of the manors of the Mareschals.

¹⁰¹ *Reg. St. Thomas's Abbey, Dublin*, p. 114.

¹⁰² Giraldus uses the word *fovea* for some kind of defence which FitzStephen made in a woody fastness not far from Ferns: *puteis altis foveisque profundis campos exasperans* (vol. v. p. 287); and there is an inspeimus of a charter by Henry II to the burgesses of Maldon [i.e. Maldon] by which (*inter alia*) he granted them quitance *de operationibus castellorum et fovearum* (*Cal. Charter Rolls*, vol. ii. 352, 6 June 1290).

¹⁰³ *C.D.I.* vol. iii. p. 294.

¹⁰⁴ See *Journ. R.S.A.I.* 1893, p. 185.

are no remains of the castle, but the mount and the fosse are still entire' (Lewis).¹⁰⁵

TRISTERDERMOTH (*Disert Diarmada*): now Castledermot.—Twenty fees were given by Strongbow to Walter de Riddlesford in Omurethi, a large district in the south of the county Kildare including Castledermot. No mote nor castle remains can now be traced in the town, which was the site of an early ecclesiastical settlement. There was, however, a fort called Rahard (*rath ard*, i.e. the high rath) close to the town on the west. It is marked on the six-inch ordnance map, but has been levelled. From the name and position it is possible that it was the site of Riddlesford's fortress. He had another manor at *Kilkea*, about three and a half miles distant, where there is a mote, quite close to the later castle and a little nearer to the river. Close at hand on the other side of the castle is the old graveyard of Kilkea Church. In the early English versions of the *Expugnatio* Kilcae or Kilca is put instead of Tristerdermoth as the place where Walter de Riddlesford's castle was built, and it is quite possible that this was the place intended by Giraldus.

CASTRUM IOHANNIS DE CLAHULLA.—The site of this castle is unknown. According to the *Song of Dermot* John de Clahull's land lay *entre Eboy e Lethelyn*. Eboy I take to be the Obowi of Giraldus, mentioned below, and Lethelyn is now Old Leighlin. The castle site should, therefore, be looked for on the west of the Barrow between these two places.

COLLAUGHT.—This place name is unknown, but it is noteworthy that the oldest English versions of the *Expugnatio* have, instead of Collaught, *Tyllagh yn Felmeth*, i.e. Tullagh in Offelimy, now Tullow or Tullowphelim, co. Carlow.¹⁰⁶ I suspect, therefore, that we have here an example of the common copyists' error, *c* for *t*, and that Tullow is the place intended. There was a *Castellum de Tulach* (Tullow) in 1185,¹⁰⁷ but I cannot connect it directly with John of Hereford. The surrounding lands to the east of the Slaney belonged to Theobald Fitz Walter in the twelfth century, and John of Hereford's son, Thomas, married Theobald's daughter, Beatrix,¹⁰⁸ but this only proves a connexion between the families. There are no remains of even the later Ormond castle at Tullow.¹⁰⁹

Hugh de Lacy was again entrusted chief governor in 1182, when he built more castles. *Inter quas Meilerio castellum in provincia de Leis erexit apud Tahmeho. Castellum quoque Roberto de Bigarz ibi prope, scilicet apud Obowi: castellum Thomae Flandrensi non procul ab hoc, in ulteriore videlicet Omurethi parte, Beruensis fluminis interlabentibus undis: Castellum Roberto filio Ricardi, apud Norrach.*¹¹⁰

TAHMEHO (*Teach-mochua*): now Timahoe.—There is 'a motte, called the Rath of Ballynaclogh, half a mile west of the village. The

¹⁰⁵ The Rev. W. Carrigan (*Hist. and Antiquities of the Diocese of Ossory*) says that the earls of Ormond had a residence called Garrison Castle, on the summit of Knocktopher Mote. 'A huge piece of masonry still projects from the N.W. side of the mote over the fosse.'

¹⁰⁶ See the two versions published by the Early English Text Soc. (1896); cf. 'Book of Howth,' *Cal. Carew MSS., Misc.*, p. 98, and the 'Conquest of Ireland,' *ibid.* p. 309.

¹⁰⁷ *Register St. Thomas, Dublin*, p. 113.

¹⁰⁸ *Ibid.* p. 197.

¹⁰⁹ Lewis, *Topogr. Dict.*

¹¹⁰ *Gir. Cambr. vol. v. p. 356.*

bailey is circular, and its banks are carried up the mote like wing walls' (Mrs. Armitage).

OBOWI.—This district appears as Obboy in the partition of the lands of William Mareschal. It was the Irish *Ui Buidhe*, equated by O'Donovan with the barony of Ballyadams, Queen's County.¹¹¹ On the west bank of the Barrow, opposite Ardree (*Beruensis fluminis interlabentibus undis*), is a low circular mote with fosse and vallum, but no bailey. A piece of Norman red pottery with green glaze was found by Mr. Stallybrass one foot below the ground on an old surface. This may have been the mote of Robert de Bigarz.¹¹²

CASTRUM THOMÆ FLANDRENSIS.—Ardri was given by Strongbow to Thomas le Flemmeng.¹¹³ Ardree is now the name of a small parish of 828 acres on the east side of the Barrow, one mile south of Athy. There is no stone castle here, but Ardree House stands on a levelled platform above the river, with an old mill below. Separated from the house by the road on the east is an old graveyard on an artificial mound, but I could see no remains of a church. It is circular except where cut into by the road, and has faint signs of a trench round it. It has a mote-like appearance, but was, I suppose, the church site. A terrace of earth between the house and the road is reputed to be haunted. The church of Ardria was given early in the thirteenth century to the Abbey of St. Thomas at Dublin by Milo de Stanton, whose principal manor was Moone, in the adjoining parish, also tithes of the mill and fishery. The charter proceeds: *et dedi eis [canonicis Ecclesiae Sancti Thomae] in augmentum fundum in quo castrum situm fuit cum orto totali*; also two burgages at Ardria.¹¹⁴ I suspect that Ardree House now occupies the bailey of the *castrum*, and that the mote was used as the burial ground of the church.

NORRACH.—The name is preserved in the townland and parish of Narraghmore, in the barony of Narragh and Reban, co. Kildare. There is no mote at Narraghmore House, but it is not certain that this was the site of Robert FitzRichard's castellum. There is a large double-ringed fort close to the village of Narraghmore, but it has been used as a gravel pit, and it is impossible now to say whether it included a mound or not.

If we turn now to the passage in the *Song of Dermot* giving the subinfeudation of Strongbow's lordship we shall find some other early manors indicated. The exact sites of the castles of Hervey de Montmorenci, Maurice de Prendergast, and Gilbert de Boisrohard are too uncertain to be dealt with here, but the remainder can be identified with some

¹¹¹ *Book of Rights*, p. 213, note n.

¹¹² Mrs. Armitage took this for Ardree, but it is on the wrong side of the river. The castle and church of Tullomoy (= Tul-O-mBuidhe, Joyce, *Names of Places*, vol. ii. p. 211) is marked on the map in the barony of Ballyadams, five miles from the Barrow, but nearer Timahoe, which may prove to be the true site, but I have not visited it.

¹¹³ *Song of Dermot*, l. 3112.

¹¹⁴ *Reg. St. Thomas's Abbey, Dublin*, p. 162. Thomas Flandrensis also held Moone (*ibid.* p. 167), and Avicia, wife of Milo de Stanton, may have been his daughter (*ibid.* p. 161). Close to Moone Abbey there are remains of a castle; also an artificial mount, in which Councillor Ash was interred by his own desire (Lewis). This mote may have been erected by Thomas Flandrensis before Ardree was given to the church. 'Mon' (Moone) was the most lucrative manor of the Mareschals in Kildare at the time of the partition.

confidence. Besides Fothord, which we have identified with Castlemore Mote, Strongbow gave Odrone and Glascarrig to Raymond le Gros.

ODRONE is now represented by the baronies of Idrone, co. Carlow. Raymond's principal tenant here was his nephew William de Carew, whose chief manor was Dunlech (Dunleckny),¹¹⁶ where there is a large mote about forty feet high, and a half-moon bailey, fashioned out of a detached esker in the demesne of Dunleckny House.

GLASKARRIG : Glascarrig, on the east coast of Wexford.—Here, on a cliff a little north of the slight remains of the later priory, is piled up a fortified mote with an irregular bailey following the lie of the land. Raymond appears to have granted this district to one of his Cantitun (Condon) nephews, who or whose successors introduced the Benedictine monks.¹¹⁶ There is no other castle site known here.

NAAS, co. Kildare.—'Le Nas' was given by Strongbow to Maurice FitzGerald,¹¹⁷ and the castle (*castrum*, or in some manuscripts *castellum*) is incidentally mentioned by Giraldus.¹¹⁸ King John confirmed this grant to William, son of Maurice,¹¹⁹ and he and his successors were known as 'barons of Naas.' There is a remarkable mote in the town of Naas. There are many records of a Celtic *dun* at Naas, and it was the residence of many of the early kings of North Leinster, but it is stated to have been abandoned as a royal residence after the year 904.¹²⁰

KAREBRI : the barony of Carbury, in the north-west of co. Kildare.—This district was soon taken from Meiler FitzHenry,¹²¹ and was a manor of the Mareschals at the time of the partition. Some time afterwards it was in the hands of the Birminghams. The castle here is first mentioned in 1284,¹²² by which time a stone castle may have been erected. At Castle Carbury 'the motte remains, with the ruins of a fifteenth-century castle built against it' (Mrs. Armitage).

WINKINLO : Wicklow.—The *Castellum Wikingelonense*, together with the town of Wexford, was given by Henry II to Strongbow just before the latter's return to Ireland in August 1178.¹²³ It was evidently in existence at that time, and, as the name indicates, was perhaps a Scandinavian stronghold, situated on the rocky point where the remains of the Black Castle are still to be seen. It was afterwards given by Strongbow to Maurice FitzGerald, who died in 1176, and in that year was taken (fraudulently, according to Giraldus) from his sons by William FitzAldelm on the king's behalf.¹²⁴ There is no direct evidence for the statement usually made that either Maurice FitzGerald or his sons built or rebuilt a castle here. The remains of the Black Castle are situated at the extreme point of the headland, about sixty feet above the sea. They consist of portions of walls from three to five feet thick, with joints of coarse mortar three-quarters of an inch thick. One corner loophole remains. The point on

¹¹⁶ *Chart. St. Mary's Abbey*, vol. i. pp. 112-8. It appears from these charters that William de Carru had also a vill at 'Techmulin,' now St. Mullins, on the Barrow, where there is a remarkable mote with stone foundations on the top and a large rectangular bailey. There were burgages at both places.

¹¹⁷ *Journ. R.S.A.I.* 1905, p. 164.

¹¹⁸ *Gir. Cambr.* vol. v. p. 100.

¹¹⁹ *Four Masters*, 904, note o.

¹²¹ *Gir. Cambr.* vol. v. p. 355; cf. p. 314.

¹²² *Gir. Cambr.* vol. v. p. 298.

¹¹⁷ *Song of Dermot*, ll. 8086-91.

¹¹⁹ *Chartae Privilegia et Immunitates*, p. 5.

¹²³ *C.D.I.* vol. i. no. 2175; cf. no. 2989.

¹²⁴ *Ibid.* pp. 314, 337.

which they stand is separated from the rest of the headland by a deep trench cut in the rock, and the space thus isolated, a rough equilateral triangle of thirty paces, may be regarded as a rock mote. Further back a large portion of the headland at a lower level is fenced off by a vallum and fosse, so as to form an outer bailey.¹²⁵

FERNS, co. Wexford.—This place, the residence of Dermot MacMurrough, was given to the sons of Maurice FitzGerald by way of compensation when they were deprived of Wicklow. Here they set about constructing a *castrum*, but again, through the machinations of Walter 'Alemannus,' FitzAldelm's nephew, the *castrum* was destroyed. From Giraldus's words we may infer that this was done from a sense of fairness to Murrough MacMurrough (Murchardus), the late king Dermot's brother and (by the Irish) recognised successor. He and his son Murrough probably continued to live in the old royal *dun* at Ferns. Certainly we hear nothing more of a castle at Ferns until the place had settled down into a manor of the bishop. Except on the supposition that the Irish kings used the mote type of fortress we cannot be surprised that there is no mote at Ferns, though there are the ruins of a castle of the time of Henry III. The castle was probably built by William Mareschal the younger, after 1224, and is first mentioned in 1282, when it was offered in part dower for his widow.¹²⁶

KILKENNY.—The origin of this castle is rather obscure. Graves and Prim, the historians of the cathedral, give some slight grounds for thinking that Strongbow had 'a fortress of some kind here, probably a stockaded mound,' prior to the defeat at Thurles in 1174. The Dublin copy of the *Annals of Inisfallen* and Ware's *Annals* state that a castle was erected in Kilkenny in 1192; and this is probably correct. At any rate Graves and Prim refer to a charter of a date prior to 1202 which mentions the castle. This castle was probably built by William le Mareschal. In an extent of the lands of Joan, countess of Gloucester and Hereford (1807), to whom this portion of the lordship of Leinster descended, it was found that Joan held in the vill of Kilkenny a castle in which were 'a hall, four towers, a chapel, a moat, and other divers houses necessary to the castle.'¹²⁷ I presume the word moat is *mota* in the original, in which case I think it must denote a mote.

AGHABOE, in the barony of Clarmallagh, Queen's County.—Strongbow's charter to Adam de Hereford of half the vill of Achebo and the whole half-centred of land in which the vill is situated is still preserved.¹²⁸ Achkbo was one of the Mareschal manors at the partition. Henry III refused to give its custody to the bishop of Ossory, of whose predecessors it had been held, as forming a bad precedent.¹²⁹ 'To the north of the church is a large artificial mount, surrounded by a fosse and encircled with a wall near the summit' (Lewis). The space on the summit is square, and there appears to have been an irregularly shaped bailey to the N.E., with marshy ground beyond.¹³⁰

¹²⁵ From Mr. Stallybrass's plan and notes.

¹²⁶ *C.D.I.* vol. i. no. 1950.

¹²⁷ *Ibid.* vol. v. no. 653.

¹²⁸ *Facsimiles of Nat. MSS. of Ireland*, vol. ii. no. lxiii., from the Ormond archives, Kilkenny Castle.

¹²⁹ *C.D.I.* vol. i. no. 2827.

¹³⁰ Mrs. Armitage's plan.

PORTNASCULLY: a townland in the parish of the same name in the barony of Iverk, co. Kilkenny.—Miles or Milo, son of David, bishop of Menevia, was granted the barony of Iverk, in Ossory, by Strongbow, and was living in 1215. A charter by David FitzMilo, probably his son, to the nunnery of Kylkelchin (Kilculliheen) grants, *inter alia*, the chapels of the castle of Polsculi (Portnascully) and of the new castle of Clone (Clohmore), also the tenth of his mills of Posculi and Clone.¹³¹ These are the only castles mentioned. At Portnascully is one of the most remarkable motes I have visited. It is situated on the high ground above a little river that flows into the Suir. The mote is about thirty feet high, with a flat, circular top twelve paces in diameter. There is a bailey to the east about fifty paces by forty. There is a wide ditch and high bank round the mote, and a wide ditch banked on both sides round the bailey, except on the north side, where the ditch is wanting, as here the land descends steeply towards the river. There is a marked depression on the top of the mote on the same side as the bailey.¹³²

John, when in Ireland in 1185, is said to have built castles at Tibberaghny, Ardfinnan, and Lismore.¹³³ The two last were on the frontiers of the district of the Decies (co. Waterford), and were well situated to protect it. They will be dealt with in connexion with the Waterford group. Tibberaghny, however, being on the north side of the Suir, may be regarded rather as similarly protecting the barony of Iverk.

1185. CASTRUM APUD TIBRACCIAM (*Tipraid Fachtna*, i.e. St. Fachtna's Well): Tibberaghny, a townland and parish in the barony of Iverk, co. Kilkenny.—The Castle of Tibrach' was granted to William de Burgh (provisionally) in the year 1200 to hold of the king in fee.¹³⁴ It afterwards appears as one of the De Burgh manors.¹³⁵ There is a well-preserved peel tower at Tibberaghny, with Tudor windows, probably inserted. A corner loophole, which seems to be original, has an ogival head. About 200 yards away, on high ground, is a remarkable mote. It is about thirty feet high, with flat circular top eighteen paces in diameter. It is surrounded by a fosse and vallum. The bailey appears to have been mainly to the north, following the natural shape of the hill, with faint traces of a levelled fosse and rampart. I suspect, however, that it virtually inclosed the mote, for I think the ditch of the latter shows clear marks of having joined the (levelled) ditch of the bailey at the south-east and south-west points, for it widens here so as to form a sort of triangle with arc base to the mote. This is best seen in the south-east corner. I have observed this feature in the case of more than one mote where the fosse of the bailey has been more or less completely obliterated, e.g. at Castlemore, near Tullow, and Motabeg, near Enniscorthy.

RIBAN: Reban (pronounced like 'ribbon'), on the west bank of the Barrow, above Athy.—The castle here is mentioned in a grant by David

¹³¹ *C.D.I.* vol. i. no. 2485, and compare extent of barony of Owerke, *Cal. Cartae MSS.*, Misc., pp. 367–8.

¹³² Compare the description in *Journ. R.S.A.I.* 1889, p. 87.

¹³³ *Gir. Cambr.* vol. v. p. 386; *Ann. Loch Cé*, and *Four Masters*.

¹³⁴ *C.D.I.* vol. i. no. 122.

¹³⁵ *Ibid.* no. 2607, and Irish Pipe Rolls, 1 and 10 Edw. I (36th Rep. Dep. Keeper, pp. 22 and 62).

de Saint Michel and Margery, his wife, about the year 1200.¹³⁶ Probably Robert de St. Michel, David's father, was the first grantee. There is a mote (now nearly all removed for gravel) and a square bailey at Reban, near the (late) castle. This mote has absurdly been equated with the 'Rhaiba' of Ptolemy, but, to say nothing else, neither name nor position suits.

The castles of LEGA (Lea, barony of Portnahinch, Queen's County) and GEISIL (Geashill, King's County) were in existence at the death of Gerald FitzMaurice in 1201.¹³⁷ The existing ruins of Lea Castle are built on a mote, and were surrounded by a wet ditch.¹³⁸ The castle is believed to date from about the year 1260.¹³⁹ Geashill Castle 'consists of a fourteenth-century keep standing on the remains of a motte. . . . The motte is clear, though mutilated' (Mrs. Armitage).

DUMAS : Dunamase, Queen's County.—Probably the site of the Celtic fort called Dun Masc, pillaged by the Gentiles in 848.¹⁴⁰ The castle was repeatedly ordered to be given to William Mareschal in 1215–6.¹⁴¹ It remained an important manor of the family,¹⁴² and with its 'burg' was the *caput* of Roger de Mortimer's (i.e. Eva Mareschal's) share on partition. The castle is described by Mrs. Armitage as of the mote and bailey plan, where the mote is a natural rock ditched off, with three baileys descending the hill. This is a type rare in Leinster (where such sites are rare), but not uncommon in co. Limerick and the west.

BALIMORE : now Ballymore Eustace, co. Kildare.—Seisin of the castle here was given to John Comyn, archbishop of Dublin, in 1203.¹⁴³ There seems to have been a dispute between him and the king with reference to the forest of Coillach, a mountainous district in the west of Wicklow, and the king had in consequence disseised him of his castle. Balymor afterwards appears as one of the most valuable of the manors of the archbishop.¹⁴⁴ Mrs. Armitage fixes on 'a motte called Close Hill, with no bailey' now, as the site. I do not know the district.

Apart from the early forts at Carrick on Slaney and Baginbun I have

¹³⁶ *Chart. St. Mary's Abbey, Dublin*, vol. i. no. 99. Margery, David's wife, was daughter of Thomas Flandrensis, of Ardree. She appears to have married three times: (1) Robert de Bigarz, of Oboy (*ibid.* charter no. 98; and cf. nos. 97 and 99), (2) David de St. Michel, (3) Roger Waspail (*ibid.* charter no. 100; and cf. *C.D.I.* vol. i. no. 1392).

¹³⁷ *C.D.I.* vol. i. nos. 101, 195.

¹³⁸ *Dublin Penny Journal*, 1835, p. 293. Hence it was called 'Port na hinch,' or the Fort of the Island.

¹³⁹ In 1297, however, John FitzThomas got a grant of 40*l.* to fortify his castle of Leye (*C.D.I.* vol. iv. no. 438), and again in 1298 (*ibid.* p. 269).

¹⁴⁰ *Ann. Ulst.* 843.

¹⁴¹ *C.D.I.* vol. i. no. 644 (where it is printed 'Damas'), &c.

¹⁴² *Ibid.* nos. 1872, 2151.

¹⁴³ *Ibid.* vol. i. no. 180.

¹⁴⁴ Irish Pipe Roll, 13 Hen. III, 35*th Rep. Dep. Keeper*, p. 32; *ibid.* 5 and 7 Ed. I, 36*th Rep.* pp. 36 and 41. The receipts of the manor include rents from Tobyr and receipts from the mills of Holywood and Dunlovan. It is noteworthy that there are motes at or near all these places. That at Tober is defaced by modern terraces; that at Holywood is fashioned out of a ridge or esker with a long inclosure on the top of the ridge, the whole ditched round at the bottom; the one near Dunlavin is known as Tornant Mote. The number of motes and of Brittas districts encircling the Wicklow mountains are eloquent witnesses of the dread which the dispossessed tribes in the mountains inspired.

endeavoured to identify some twenty-four early castle sites in Leinster, and though some of these identifications may possibly not be final, in nearly every case where one can be confident of the site there is a mote to be found. Indeed, the only exceptions are Ferns, Tullow, and Castledermot, but at such towns we cannot be surprised if the motes have been cleared away. Furthermore, when the theory supported in this paper is established it will be important to examine several motes, or at least mounds, at the *capita* of manors known to have been created before the close of John's reign—for example, in the co. Kildare Cloncurry and Kill (granted to Adam de Hereford), Mainham (John de Hereford), Old Connell (Meiler FitzHenry), Rathmore, perhaps heaped on an old sepulchral mound (Maurice FitzGerald); in Wexford Old Ross (William Mareschal, or earlier); in Kilkenny Inistiogue (Thomas FitzAnthony), Listerlin, Callan, Castlecomer, and others. I have, however, found no express mention of a castle at any of these places within the period.

GODDARD H. ORPEN.

(To be continued.)

England and the Ostend Company

THE emperor Charles VI played an incidental if unattractive part in English history. He is for all time the ungrateful ally of the war of the Spanish Succession, but for whose lethargy the work done at Blenheim might have been completed at Madrid. Yet he had an original mind and an intelligence above the usual level of his house. Living at the head of a bigoted aristocracy in the golden age of etiquette, he saw dimly beyond the barriers of caste, and though far beneath his great servant Eugene as a man of action he stood above him in imagination. Notwithstanding permanent want of money and the diversions of a tortuous dynastic diplomacy his reign was marked by efforts to foster industry and to give his people's sluggish ambitions something of England's golden touch. In Austria, Hungary, and Bohemia Charles's endeavours bore little fruit and his aims remained unappreciated until education was wrested from the Jesuits and intellectual capacity enriched by toleration of the Jews. At Trieste and Fiume fortune was more kind.¹ Both became prosperous ports and the headquarters of an efficient navy, in spite of the indifference of Charles's German advisers, who deemed Austria's interest in such developments inconsiderable and remote.

The dream of trade and sea power under the Austrian flag was pursued most ardently in the Low Countries and was embodied in the formation of the Ostend Company. The impulse which led to this revival of Flemish commerce was a spontaneous national movement, not the artifice of a sovereign, and in this lay its promise. Charles indeed realised its possibilities and tried to forget for the moment Eugene's practical prudence and the grinding lack of ways and means, but the sequel showed that he dared not sustain it when diplomacy faded before the last logic of kings. It is therefore with good reason that patriotic Belgians disclaim for the Ostend Company any obligations to Vienna. They alone were its creators,

¹ See the Granard MSS., *Hist. MSS. Comm. Report II.* pp. 212, 217 (1871); Vehse's *Mém. of the Court of Austria*, ii. 139-40 (Engl. tr. 1896); Mayer, 'Zur Geschichte der österr. Handelspolitik unter Karl VI,' *Mittheilungen des Inst. für österr. Gesch.* xviii. 129 (1897); Keyser's *Travels*, iv. 119-30 (ed. 1760).

and they alone have vindicated its lawfulness, deplored its fall, and told its story.³

On the passing of the Spanish Netherlands beneath the Hapsburg yoke by virtue of the Treaty of Utrecht and the Barrier Treaty of 1715 their inhabitants were subject to grave disabilities. Antwerp was still debarred under the Treaty of Münster from using the Scheldt for seagoing vessels, and its consequent decline had been accompanied by that of Ypres and Tournai.⁴ The heavy burden of meeting the expenses involved in garrisoning the barrier towns rested upon Flanders and Brabant.⁴ While England and the United Provinces paid low duties on the admission of their own goods they deferred their promised grant of reciprocity. Spain had never allowed Belgians to share in the benefits that she drew from the possession of lands across the sea. Taxation was severe, the currency complex. Two-fifths of the 35,000 troops who garrisoned the country's fortresses in pursuance of the Barrier Treaty were Dutch, whose 'unheard of and intolerable' arrogance tormented the people.⁵

Yet the provinces themselves were ripe for larger commercial ventures. Although partially excluded by tariffs from neighbouring states there were thriving industries at Antwerp, Mechlin, and Brussels, where lace, velvet, thread, fine cambrics and tapestry were manufactured, while Ghent and Bruges produced linen 'for shifts and sheets,' and Oudenarde tapestry.⁶ It was natural to look to the east for an outlet for energies confined at home. As early as 1698 an East India Company had been projected, and the Antwerp capitalists recognised the help to be derived from the flotsam of British Jacobitism cast upon the Flemish shores by the whig triumph of 1714. On the roll of seamen who in the ensuing years carried the flag with the lion of Brabant to every market on the coasts of Asia we find the names of Ray, Acton, Tobin, Naish, Harrison, Hume, Sarsfield, Browne, and Savage. In 1714 permits to fit out vessels for the Indies were obtained at Brussels but apparently not exercised by Ray, a naturalised Irishman, and by Gheselle and Maelcamp, merchants of Ghent.⁷ A year later one ship left Ostend for Surat and another for Canton.

Eugene had been named governor and captain-general of the

³ This is the claim of Huisman in *La Compagnie d'Ostende* (1902), the leading monograph on the subject, but as Saint-Léger has pointed out (*Revue d'hist. mod. et contemp.* iv. 474 [1902]), its chief promoters were all British, French, or Dutch.

⁴ Huet's *View of the Dutch Trade*, p. 75 (1722); Defoe's *Plan of the English Commerce*, p. 30 (1728).

⁴ Hubert, *Les Garnisons de la Barrière*, p. 31 (1902).

⁵ *Ibid.* p. 249.

⁶ Burriah's *Batavia Illustrata*, p. 351 (1728); Huet's *View of the Dutch Trade*, p. 66 (1722); Defoe's *Plan of English Commerce*, pp. 205-8 (1728); Defoe's *Compleat English Tradesman*, il. pt. 2, p. 169 (1726).

⁷ Huisman, pp. 83-4.

Low Countries on 25 June 1716,⁸ and his deputy Königsegg soon found that the interest of the Flemings in the new vista of trade had become an enthusiasm. Ships were bought in England⁹ and Zealand, and in October 1716 the first note of coming trouble was sounded in a petition¹⁰ to George I from the English East India Company in protest against such interlopers as 'the ship "Victoria" of Ostend,' which had arrived at Surat under the emperor's colours with an Irish captain 'Haver Sandfield,' probably to be identified with Xavier Sarsfield of Limerick, whom James 'III' had admitted to noblesse at St. Germain in 1712.¹¹ Lucrative freights were carried to Ostend by such Jacobite adventurers and by French sailors engaged by Merveille, a Malouin settled at Ostend but formerly 'an English sea commander.'¹² Between 1718 and 1721 at least fifteen ships were navigated from Ostend to the east. One factory was established at a place known as Coblom or Cabelon on the Coromandel coast between Madras and the Dutch settlement of Sadras, and another and more profitable one at Canton.

This expansion of Belgian commerce could not pass unheeded by the Austrian governors. Königsegg had no sympathy¹³ for the people whom he ruled, but his stay was short. On 19 November 1716 Eugene's permanent deputy, Turinetti, marquis de Prié, arrived at Brussels with the title of minister plenipotentiary, and was at once asked to give passports to the adventurers who would otherwise be the prey of foreign monopolist companies. Prié would not have won his high place but for the influence of a lady who then guided Eugene's patronage, and unhappily he saw in the dawn of Belgian trading aspirations merely opportunity for his own enrichment. To the Flemings his name soon became 'Pillé.'¹⁴ Thomas, earl of Ailesbury, who lived over thirty years at Brussels during this period, describes him as a tricky Savoyard gamester 'who could fish well in troubled waters.'¹⁵ His career had run almost entirely in the turbid channels of Italian diplomacy, and 'no Norfolk attorney ever came up to his reach as to disputing inch by inch.'¹⁶ Prié's small mind might have rejected the Belgian schemes altogether but for the advice of a brilliant Irishman, Patrick Mac Neny or Nanny.¹⁷ Settling at Brussels as a boy of sixteen after

⁸ Gachard, *Lettres écrites par les Souverains des Pays-Bas*, p. 8 (1851).

⁹ Arneth, *Prins Eugen*, iii. 125 (1858).

¹⁰ Townshend MSS., *Hist. MSS. Comm. Report XI*. iv. 138 (1887).

¹¹ Stuart Papers, *Hist. MSS. Comm. Report for 1902*, i. 243.

¹² Boyer's *Political State of Great Britain for May 1732*, xliii. 482.

¹³ Delescluse, 'Les Archives de Vienne,' *Acad. Roy. de Belgique*, 5^{me} sér. vii. 514, 517 (1897).

¹⁴ Gachard, *Hist. de la Belgique au commencement du XVIII^e siècle*, p. 44 (1880).

¹⁵ *Ailesbury Memoirs*, ii. 656 (ed. 1890).

¹⁶ *Ibid.*

¹⁷ *Ibid.* ii. 655. Interesting details as to MacNeny's family will be found in D. Boulger's *History of Belgium*, pp. 369-70 (1902).

the battle of the Boyne, MacNeny had risen from the ranks of the Brabant bar to be chief adviser to the Austrian governors. He was afterwards appointed 'secretary of state and war,' an office of great trust, as while on the one hand he had to counsel Prié, on the other he had daily to report in cypher to Eugene the exact bearings of Belgian politics without reference to the deputy.¹⁸ Mac Neny urged Prié to grant licences to the Ostend seamen, and the latter sold his sanction to the charterers of almost every ship which put out from Ostend for the east between 1717 and 1721 for sums ranging between 700*l.* and 1,000*l.* He refused to allow the cargoes of three vessels returned from China to be sold in May 1721 until their owners satisfied his greed.

The drift towards maritime enterprise was however far too strong to find adequate outlet in Prié's concessions. In that commercial age no comity of nations was recognised beyond the confines of Europe, and the Ostend seamen required a stronger safeguard than passports granted capriciously and disavowed at discretion. It was fortunate for them that Charles VI was a true child of that day of castles in the air, and that they soon saw the possibility of detaching him from the influence of Eugene's indomitable scepticism. They were led to appeal to the emperor himself by the advice of 'some English and other stockjobbers,'¹⁹ and the conception of winning Charles to father a Flemish aspiration wholly alien to Austrian ideas can be ascribed to one John Ker of Kersland. This man, whose name had originally been Crawford, after acting as government spy among the Scottish Jacobites, had been plunged into 'inexpressible difficulties for money by the practice and violence of his enemies.'²⁰ He tried to retrieve his fortunes by earning the favour of the electress Sophia, but being warned that Ker was 'a very dangerous person and a spy . . . one of the worst of men, though he pretends to be a presbyterian,'²¹ the Hanoverian court cast him adrift. He then turned to the emperor who received him graciously,²² and in 1720 he proposed that a chartered company should be formed in the Austrian Netherlands,²³ a plan which found capable adherents in two Belgian speculators, Peray and Marsaut. Ker advised Prié to direct traders to the West rather than East Indies, in order to minimise the drain of specie from the Low Countries, and suggested the foundation of a state bank. As the deputy shrank from organisation on a large scale Ker concerted with Windischgrätz, the emperor's commissioner at the congress of

¹⁸ Delescluse, *ubi supra*, pp. 533-4.

¹⁹ Ker's *Memoirs*, i. 164 (1728).

²⁰ Portland MSS *Hist. MSS. Comm. Report XV. 4*; iv. 677 (1897).

²¹ Kemble's *State Papers*, p. 50 (1850).

²² Ker's *Memoirs*, i. 85-7 (1728).

²³ Ker's alleged patriotic whig motives are properly discredited in Forman's *Letter to Pulteney*, p. 8 (1725).

Cambrai, 'a perfect Austrichian, proud and ignorant,'²⁴ and with Field Marshal Wehlen, two leaders of a clique opposed to Prié and connected with the party at Vienna then striving to dislodge Eugene from his supremacy in the Austrian councils. They knew that the promise of commercial greatness would appeal strongly to Charles VI.

Ker's help was discarded during his absence in England, and he died five years later in a debtor's prison, but his place was amply filled by John Colebrooke, 'a cunning man and a perfect master in the art of stockjobbing.'²⁵ During 1720 and 1721 he enlisted many Englishmen in the service of the projected company, who were described to a committee of the house of commons which sat in 1723 as sea captains, supercargoes, and linendrapers.²⁶ Colebrooke was sent to Vienna by Windischgrätz to press Charles to break loose from Eugene's too prudent tutelage and to act decisively in the interest of trade and sea power. It was suggested that the emperor should receive as commission the first 70,000*l.* that might be subscribed towards a company,²⁷ and Colebrooke was assured that he had the goodwill of the Flemings who longed to escape from Prié's avarice and to embark upon organised if tardy rivalry with other nations in Asiatic markets. He felt he might become the Law of Belgium.

There is abundant evidence of Charles's want of real sympathy with the Austrian Netherlands,²⁸ but their new ambition commended itself to his own opinions. Their main obstacle was Eugene's stubborn policy of *laissez faire*. The same tendency which has depicted him as an apostle of religious rationalism in defiance of history²⁹ has bestowed on him the reputation of a pioneer of empire and commercial expansion.³⁰ In reality however he gloried in his apathy to Charles's expensive foibles. In a measure he was as great a statesman as a soldier, great in his tolerance, in his thrift and common sense, in his want of that originality which is the making of heroes but the ruin of politicians; yet he was no seer. Though his attitude alienated the emperor and embittered the people whom he nominally governed he never relinquished his determination that Austria should not risk war and bankruptcy for subjects alien in thought, language, ideals, and interests.

²⁴ *Ailesbury Memoirs*, ii. 676 (ed. 1890); cf. *Rec. des Instructions données aux Amb. de France*, 'Autriche,' ed. Sorel, i. 165 (1884).

²⁵ *Ker's Memoirs*, i. 173 (1728).

²⁶ *Journals of the House of Commons*, xx. 199.

²⁷ Huisman, p. 199.

²⁸ See, for instance, Gachard, *Documents inédits concernant les Troubles de la Belgique*, i. 3, 135, 238, and *passim* (1838); Saint-Léger, *La Flandre Maritime*, p. 62 (1900); Hubert, *Hist. du Droit Crim. dans les Pays-Bas Autrichiens*, p. 154 (1895).

²⁹ B. Böhm, *Die Sammlung der hinterlassenen politischen Schriften des P. Eugen*, pp. 88-97 (1900).

³⁰ Ligne's *Memoirs of Prince Eugene*, p. 210 (Engl. tr. 1811); Hunter's *Imperial Gazetteer of India*, vi. 373 (1886).

Several reasons confirmed his aversion to the Belgian project. Experience had taught him the intolerable burden of national poverty which had weighed pitilessly upon all his campaigns, and he dreaded the mad finance then desolating England and France. He could put no trust in Ker and Colebrooke, as the credibility of British company promoters had been wrecked by the Mississippi crash and South Sea Bubble. 'If I were powerful enough to afford being ruined,' said Victor Amadeus of Savoy to Law, 'I should not hesitate a moment in giving you the preference.'³¹ 'I have no liking,' said Dubois after Law's fall, 'for those Scots faces strongly characterised by tawny eyes and red hair.'³² Eugene had no greater confidence in the honesty of British financiers. Secondly, though he resented foreign attacks upon the defenceless Flemish merchantmen³³ Eugene had too deep a sense of the necessity of peace to risk with a light heart a struggle with the maritime powers. He took pains to avoid arousing their jealousy and deemed it essential to dissociate Austrian policy from any suspicion of Jacobite connexions. Thus in 1716 Mar wrote to Lord George Murray that it was 'labour lost' for him to offer his services in Hungary,³⁴ and in 1717 Prié was instructed to give no naval commissions to Jacobites. The derelicts of Irish nationalism deplored the indifference of a co-religionist, so 'supercilious and morose,'³⁵ but Eugene thought the support of England far more vital to the state than the approval of a handful of exiles. Nor ought it to be sacrificed for the sake of a foreign dependency whose people were described by Prié in 1718 as animated by a 'spirit of sedition.'³⁶

It is indeed probable that personal antipathy also influenced his resistance to the Belgian cause. Ailesbury alleges that Eugene was 'never with any design but to strip the country of what he could get.'³⁷ This is perhaps unjust, as his immense correspondence with Prié discloses interest in its concerns,³⁸ and he sought information as to the eastern trade not only from Prié and Mac Neny but in 1722 from the Merveilles of Ostend,³⁹ whom Prié disliked, and also from the Dutchman Cloots. Yet in general he desired but to draw as large a revenue as possible from provinces whose attachment to Austria was only a diplomatic contrivance and for whom no Austrian interest ought to be endangered in return. He encouraged Prié in measures which won him the undying hatred of the

³¹ Dubois's *Memoirs*, ii. 36 (Engl. tr. 1899).

³² *Ibid.* ii. 37.

³³ Huisman, p. 159.

³⁴ Stuart Papers, *Hist. MSS. Comm. Report for 1904*, ii. 493.

³⁵ *Ibid.* ii. 238.

³⁶ Gachard, *Documents inédits concernant les Troubles de la Belgique*, i. 238.

³⁷ *Ailesbury Memoirs*, ii. 655.

³⁸ Delescluse, 'Les Archives de Vienne,' *Acad. Roy. de Belgique*, 5^{me} sér. vii. 535 (1897).

³⁹ *Ibid.* p. 536.

people and enabled him to rule the country 'like a Turkish pasha.'⁴⁰ Happily for Ostend Eugene's influence waned at the moment when it was most to be feared. Between 1719 and 1724 his long ascendancy suffered partial eclipse and Charles accepted the tempting projects laid before him by Eugene's enemies. He was reminded that before the Low Countries became Spanish they were 'the ancient patrimony of your most august house,'⁴¹ and abandoning Prié's prejudices, the royal visionary wrote letters of recommendation to the Great Mogul, granted unappropriated concessions in Bengal and Madagascar, and planned colonies in the Solomon Islands and Tobago.⁴² His decision to risk English and Dutch hostility and at whatever cost to organise imperial commerce over sea can be dated late in 1721, for on 1 January 1722 Colebrooke wrote from Vienna that the *octroi* was signed and that its publication was only delayed by the emperor's consideration as to the choice of directors.⁴³ Not until 16 June 1722 was information given to the magistrates of Antwerp, Ghent, Brussels, and Ostend that the foundation of a company was assured, and even after that date negotiations as to the form and scope of its charter were prolonged with ponderous Austrian deliberation. Eventually a scheme drafted by MacNeny, and modified first at Vienna and afterwards by Prié and the Flemish merchants, was disclosed to the world on 19 December 1722, seven directors having been appointed.

The capital of the Imperial and Royal Company of the Austrian Low Countries⁴⁴ was fixed at six million 'florins of silver,'⁴⁵ divided into six thousand shares of a thousand florins each. For thirty years the company was to enjoy, to the exclusion of other subjects of the emperor, the right to trade with the East and West Indies and the coasts of Africa 'on both this and the other side of the Cape of Good Hope.' Factories might be established and treaties made with natives. Goods to be exported and cargoes to be imported were to be bought and sold only at Ostend and Bruges, while general meetings of shareholders were to be held for the first

⁴⁰ *Ailesbury Memoirs*, ii. 676, 708; Gachard, *Documents inédits concernant les Troubles de la Belgique*, i. 135; Piot, 'Les Pays-Bas Autrichiens en 1734,' *Acad. Roy. de Belgique*, 4^{me} sér. ix. 153 (1882).

⁴¹ Dartmouth MSS., *Hist. MSS. Comm. Report XV.* i, ii. 151 (1898); Gachard, *Lettres écrites par les Souverains des Pays-Bas*, p. 191 (1851).

⁴² Huisman, pp. 104, 179, 197.

⁴³ *Journals of the House of Commons*, xx. 199.

⁴⁴ The charter is set out in Dumont, *Corps Universel Diplomatique*, viii. pt. 2, pp. 44-50 (1731).

⁴⁵ If these florins were the florins of Flanders and Brabant (which represented but an imaginary value and were not coined) their English equivalent would be 1s. 6d., but they appear in fact to have been Dutch guilders, which in August 1722 bore the exchange value of 1s. 10½d. (Elking's *View of Greenland Trade*, p. 38 [1722]). The company's capital would thus be 560,000*l.*, and the value of one share would be 93*l.* 6*s.* 8*d.*

three years at Antwerp, and thenceforward in cycles of three years at Ghent, Brussels, and Antwerp in turn. Aliens could hold shares with certain limitations, but had no voting power. Directors were debarred from private trade. To be concerned in the company was not to derogate from nobility. Its ships were to be built in the Austrian Netherlands, and materials for their construction were to be admitted free of duty. Three per cent. on the proceeds of all sales before December 1724 and six per cent. after that date was reserved to the emperor, to whom and to whose successors was also granted the right to receive from the company the figure of a lion with a gold crown, holding in its paws the company's coat of arms and weighing twenty gold marks.⁴⁶

The charter was a model of its kind. On 23 January 1723 Charles named as directors Pret and Ray, who were already importers from Bengal, Maelcamp the head of a large Spanish house at Ghent, Proli the leading merchant and banker of Antwerp, and three others, Conenck, Kimpe, and Baut. The services of Colebrooke, an alien, a gambler, and a protestant, were dispensed with, but his 'indefatigable care and industry' ⁴⁷ ended in a not unprofitable deal in shares. On 11 August, encouraged by the very lucrative results of the timely sale of a cargo from the east, the company offered 5,500 of its shares to the public. Before a day had elapsed they were over-subscribed. The remaining 500 were reserved for Charles's officials, and of these Eugene took sixty, worth 5,650*l.* in English money, explaining that he was too poor to subscribe for more.⁴⁸ It is to be observed that he was the richest subject in Europe. He accepted however the inevitable with his usual fidelity. 'The hope of gain,' he told MacNeny in September 1723, 'has no part in my resolve. As governor of this country I cannot remain a stranger to an enterprise which interests it so nearly.'⁴⁹ Far warmer sentiment moved the people of Brussels and Ghent, Ostend and Louvain, to whom the bulk of the shares were allotted and who revelled in the dream of a 'Greater Belgium.' Prohibitions issued by the governments of England, France, and the United Provinces prevented most foreign capitalists from subscribing and intensified the national character of the company. J. B. Rousseau, the lyric poet and friend of Eugene, was one of the few alien investors.⁵⁰

The early days of the venture were full of promise. Its shares rose above par,⁵¹ and Charles VI blinded himself to the growth of overwhelming opposition in England and Holland. He had no

⁴⁶ The arms are reproduced in Dumont, *ut supra*, p. 45.

⁴⁷ Boyer's *Political State of Great Britain* for September 1723, xxiv. 315.

⁴⁸ Huisman, p. 243.

⁴⁹ Arneth, *Prins Eugen*, iii. 134.

⁵⁰ J. B. Rousseau, *Œuvres*, v. 67 (1820).

⁵¹ Mill's *British India*, ii. 17 (1817).

idea of yielding to any hostility to his plans which might be evoked at the congress of Cambrai. Displacing Eugene by his sister Elizabeth as governor of the Austrian Netherlands in December 1724, and appointing Daun interim governor in January 1725, he assured the estates of Brabant that he would never abandon the company to its foes.⁵² He accepted joyfully the overtures of Spain upon the pope's suggestion that the two most orthodox of powers should be reconciled.⁵³ The court of Madrid was far more conscious than that of Vienna as to the consequences of their headlong diplomacy, but Elizabeth Farnese and Ripperda, the man 'with great views rather than great parts,'⁵⁴ were too impatient to be wise. The motives and conduct of Ripperda's mission to Austria have been often described, and the treaty of Vienna of 30 April 1725,⁵⁵ by which the two states agreed to support each other by mutual succour and guarantees of dynastic succession, needs no comment here. The Ostend Company however was immensely affected by a second treaty dated 1 May 1725,⁵⁶ whereby Spain agreed to open her ports in America to ships bearing the directors' certificate and to buy from them for cash all manner of merchandise from the company's settlements *aut 'factories' ut vocant* in the East Indies. Its seamen were to be on the same most favoured footing as those of the maritime powers. Although England suspected that far wider designs were embodied in a secret treaty negotiated at the same time, all that Charles VI seems to have conceded in return was his support to Don Carlos's claims and benevolent neutrality towards Spanish attempts to reconquer Gibraltar and Minorca.

It may be said at once that German opinion ran counter to Charles's sudden alliance with his old Bourbon enemy. Eugene only signed the treaties under great pressure,⁵⁷ and the general aversion felt even by Rialp's party might have restrained the emperor but for the promise by Spain of a yearly subsidy of three million florins and the cherished lure of the Spanish American trade for Ostend. Indeed, apart from the diplomatic troubles which it involved, the company was fully justifying Charles's optimism. A general meeting on 4 December 1725 empowered the directors to equip expeditions to the North Sea fishery and the whaling grounds of Greenland, to open trade relations with the West Indies and build factories on the Coromandel coast and in Bengal. Instead of

⁵² Gachard, *Lettres écrites par les Souverains des Pays-Bas*, p. 192.

⁵³ Gerba, *Die Feldzüge des Prinzen Eugen*, xviii. 243 (1891).

⁵⁴ Hervey's *Memoirs*, i. 71 (ed. 1884).

⁵⁵ This treaty is set out in Dumont, *ut supra*, pp. 106-14; Lamberty, *Mémoires pour servir à l'histoire du XVIII^e siècle*, x. ('Suite des Traites'), 128 (1735).

⁵⁶ Dumont, *ut supra*, pp. 114-21; Lamberty, *ut supra*, pp. 134-48.

⁵⁷ Coxe's *House of Austria*, ii. 83 (1807). See however Adolf Beer, 'Zur Geschichte der Politik Karl's VI,' *Hist. Zeitschr.* lv. 28 (1886).

paying an immediate dividend the company could apply the amount available for distribution towards the extension of business.⁵⁸ 'These are not the resolutions,' said a critic in England,⁵⁹ 'of men that are likely to quit this trade.' The directors established the first reserve fund⁶⁰ known in the history of chartered companies, and in 1726 retained further accrued profits and treated them as the final call⁶¹ upon the shares, of the nominal value of which only three-quarters had been paid up in 1723. The China trade proved particularly successful. To sustain this great and growing organisation the emperor trusted entirely to the phantoms of Spanish sea power and subsidies, the one a nullity since the battle off Cape Passaro, the other the vanity of a country richer, as Montgon said at the time, 'in *éclat* and projects'⁶² than in treasure and industry. He disbanded a large portion of his army in spite of Eugene's warnings,⁶³ and failed to replenish his empty treasury. Against him was ranged the might and common interest of England and the United Provinces, the ill-will of France, ascendancy in sea power and wealth. 'Without talking *à la gascoigne* or by way of bluster, like a tar,' said Defoe, 'twenty-five sail of good English third-rates' were competent to annihilate the whole Spanish navy.⁶⁴

Historians have attached more weight to Dutch than to British resistance to the company in determining the causes of its ruin. Then, as is still the case with Belgian writers, continental critics were far more familiar with the Dutch pamphlet literature of the day, which was either composed in or translated into French or Latin, than with that of England, which never passed out of the vernacular. Moreover the Dutch controversialists were lawyers of European fame and dwelt entirely upon the aspects of the case in international law, whereas the British merely borrowed their essays in jurisprudence from Holland as a garnish to far more homely arguments for the company's destruction. It will however be seen that their onslaughts were no less effective, and readers of their polemics will recognise how early in the eighteenth century was foreshadowed that mercantile enthusiasm which animated England in the Seven Years' War and in her long resistance to the American revolution. It is true that the first alarm reached London from the states-general, which called upon the government to help in repressing what was alleged to be a breach of the Barrier Treaty,⁶⁵

⁵⁸ Boyer's *Political State of Great Britain* for December 1725, xxx. 610-1.

⁵⁹ Portland MSS., *Hist. MSS. Comm. Report* for 1901, vii. 407.

⁶⁰ *Revue Historique*, lxxxiii. 167 (1908).

⁶¹ Mill's *British India*, ii. 17; Huisman, p. 258.

⁶² *Mémoires de l'Abbé de Montgon*, ii. 401 (1752).

⁶³ Gerba, *Die Feldzüge des Prinzen Eugen*, xviii. 246.

⁶⁴ Defoe's *Reasons for a War*, p. 28 (1729).

⁶⁵ *Recueil des Instructions données aux Amb. de France*, 'Autriche,' ed. Sorel, i. 211 (1884).

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but the jealousy of the country was as spontaneous as it was violent, and to it more than any other agency is to be ascribed the downfall of the Ostend Company.

In 1714 the English East India Company remonstrated with Ray for inviting aliens to compete with his own fellow countrymen in China.⁶⁶ In 1716 the company, as we have seen, petitioned George I to protect its monopoly, and in 1719 St. Saphorin was instructed to protest at Vienna against the Ostend interlopers.⁶⁷ A statute⁶⁸ was passed that year imposing penalties on British subjects trading in the Indies under the commission of a foreign state, and in 1721 the penalties were enhanced, in order further to secure the London company's monopoly.⁶⁹ In April 1723 a committee of the house of commons investigated rumours as to intended Austrian rivalry, and its report was of an alarmist nature.⁷⁰ It was resolved in May that the whole scheme was antagonistic to British interests, and a third statute was enacted 'to prevent his majesty's subjects from . . . encouraging or promoting any subscription for an East India company in the Austrian Netherlands;' ⁷¹ offenders should forfeit their interests in the company and should pay a fine of three times the value of such interests. Interlopers actually found in the East Indies were declared guilty of a high crime and misdemeanour. Some of the British traders in the east had indeed already taken the law into their own hands.⁷²

The Jacobites, who at first had attacked the government for its alleged apathy towards the danger of Belgian competition, and who had asserted that George I was working for England's impoverishment,⁷³ were forced to strike a different note of antagonism in view of the strong diplomatic pressure brought to bear on Charles VI after the treaty of Vienna. In July 1725 Harrington presented British demands to Spain, and in August St. Saphorin to the emperor.⁷⁴ Townshend, who then guided English foreign policy, suspected that the Austro-Spanish alliance involved not only the Ostend attack on the East India Company's monopoly but offensive co-operation to recover Gibraltar and restore the Stuarts, and he whipped public opinion into panic. By 285 votes to 107 the commons voted that the treaty of Vienna was 'calculated for the entire destruction of the British trade.'⁷⁵ George I himself as

⁶⁶ Forman's *Letter to Pulteney*, p. 8 (1725).

⁶⁷ Huisman, p. 121.

⁶⁸ 5 Geo. I, c. 21 given in Beawes's *Lex Mercatoria*, ii. 78 (ed. 1813).

⁶⁹ 7 Geo. I, c. 21.

⁷⁰ *Journals of the House of Commons*, xx. 200.

⁷¹ 9 Geo. I, c. 26. See *Journals of the House of Commons*, xx. 200, 215; *Journals of the House of Lords*, xxii. 203-6; Beawes's *Lex Mercatoria*, ii. 79.

⁷² Huisman, p. 95.

⁷³ Earbury's *Hist. Account of the Advantages accrued by the Succession in the House of Hanover*, pp. 29-30 (1722).

⁷⁴ *Mémoires de l'Abbé de Montgon*, ii. 271-3.

⁷⁵ *Journals of the House of Commons*, xx. 582.

elector of Hanover had no animus against the emperor, as the latter's elevation of the duchess of Kendal to the title of princess of Eberstein in 1723 more than atoned for his commercial offences. Yet as king of England he felt obliged to concur in Townshend's feverish activity. The treaty of Vienna was answered on 3 September 1725⁷⁶ by that of Hanover between England, France, and Prussia. Frederick William I, unlike his famous son, was a thorough German, but Charles had alienated him by his refusal of help towards the Jülich-Berg succession, while the allies had bribed Grumbkow and Borck and given a few giants to swell the ranks of his beloved 'children in blue.'

Townshend's energy only echoed the nation's feelings. The new journalism which Addison and Steele had created, and which Swift had turned so powerfully to political ends, woke to the opportunity. Charles Forman's *Letter to Pulteney*, written in 1725, showed, said its title page, 'how pernicious the imperial company of commerce and navigation, lately established in the Austrian Netherlands, is likely to be to Great Britain.' It pleaded for the crushing of the company while in its infancy⁷⁷ and while unprotected by a single war ship.⁷⁸ Forman pointed out how well it was governed and how excellent was its charter. Unlike the English East India Company's directors, its managers were content with 370*l.* a year. Only 2,100*l.* was spent annually in business administration at home, and the total annual expenditure was under 6,000*l.* No money was wasted in bribes, and contracts were given fairly. Victualling was cheap, and in order to make the area on board ship available for goods as large as possible, the chests of captains and supercargoes were limited to six feet in length and three in depth and breadth.⁷⁹ Against such strenuous interlopers the government should enforce its laws.

The author of the *Importance of the Ostend Company Considered* spoke with even greater severity. 'Destroy this cockatrice whilst young'⁸⁰ was the keynote of a tract by no means flattering to 'the Austrian and popish interest.'⁸¹ The East Indies were the preserves of the two maritime and protestant powers,⁸² and the English company was the nursery of our seamanship and enriched the state.⁸³ The raw silk that it imported required manufacture by English hands. The nation should not tolerate a rivalry in identical products smuggled within its borders by ten-oared rowing boats from Ostend.⁸⁴ Already the encouragement of Charles VI

⁷⁶ Dumont, *ut supra*, pp. 127-9; Lamberty, *ut supra*, p. 159.

⁷⁷ Forman's *Letter to Pulteney*, p. 12 (1725).

⁷⁸ *Ibid.* p. 33.

⁷⁹ *Ibid.* p. 34.

⁸⁰ *Importance of the Ostend Company*, p. 4 (1726).

⁸¹ *Ibid.* p. 6.

⁸² *Ibid.* p. 31.

⁸³ *Ibid.* p. 32.

⁸⁴ *Ibid.* p. 33.

had revived every industry in the Low Countries⁸⁵ which might defeat England in competition owing to our dearness of living and higher rates of wages. Capital flowed to Antwerp and Brussels from Amsterdam, and the brains which employed it so cleverly were those of Clermont a Dutchman and of one Capel of Stroud, 'forced out of England by his creditors, who refused the composition of ten shillings per pound which he offered, though it was his all.' The Ostend Company after the manner of 'the late czar of Muscovy'⁸⁶ enticed seamen from England, Holland, Hamburg, and Danzig. 'Delenda est Carthago,' exclaims the writer in the ancient language of empire-builders. Unless Britons wished Austria to 'have the world at her beck'⁸⁷ the company must be crushed. Otherwise 'the liberties of England will be no more and the protestant religion destroyed.'

The bitterness of London was intensified by the East India Company's loss on account of the novel competition. Its March and September sales in 1724 and 1725 were unprofitable,⁸⁸ and the public was entreated to support its trade at a time 'when the Ostenders can do so much' to undermine 'the wealth and grandeur of the kingdom.'⁸⁹ Its dividends, which stood at ten per cent. between 1712 and 1722, remained at eight per cent. from 1728 to 1732,⁹⁰ while its shares depreciated fifteen per cent.⁹¹ The Ostend settlement of Coblom was hated at Madras⁹² and the Ostend Company's success in China neutralised the recent English efforts at Canton, Amoy, and Ningpo⁹³ to obtain tea, porcelain, and far eastern curios, of which 'most charming gold and silver fishes, all alive,'⁹⁴ were not the least attractive. In 1728 Defoe described the London company's prosperity as 'little to boast of.'⁹⁵ Moreover the injury was wide-spread, as many other industries benefited indirectly from the East India Company's fortunes, 1,200,000*l.* of the 2,000,000*l.* worth of its imports being re-exported from this country.⁹⁶

The British ministry delighted to identify its policy with the current commercialism. The king's speech in January 1726 stated that the Hanover alliance was to curb the Austro-Spanish attempt 'to threaten my subjects with the loss of several of the most advantageous branches of their trade,'⁹⁷ and in the ensuing

⁸⁵ *Importance of the Ostend Company*, p. 40 (1726).

⁸⁶ *Ibid.* p. 44.

⁸⁷ *Ibid.* p. 54.

⁸⁸ *A Letter to the Chairman of the East India Company by a Proprietor in the Company's Stock*, p. 19 (1727).

⁸⁹ *Ibid.* p. 37.

⁹⁰ *Mill's British India*, ii. 16.

⁹¹ *Arneith, Prinz Eugen*, iii. 135.

⁹² *Huisman*, p. 359.

⁹³ *Portland MSS., Hist. MSS. Comm. Report for 1899*, v. 196; *Defoe's Plan of the English Commerce*, p. 187 (1728).

⁹⁴ *Portland MSS., Hist. MSS. Comm. Report for 1901*, vi. 40.

⁹⁵ *Defoe's Plan of the English Commerce*, p. 144 (1728).

⁹⁶ *Philips's State of the Nation*, p. 6 (1726).

⁹⁷ *Cobbett's Parl. Hist.* viii. 492.

debate the destruction of the Ostend Company was called a matter 'of national concern,'⁹⁸ essential to trade and 'the protestant religion.'⁹⁹ The decline in Indian imports involved that of customs,¹⁰⁰ and Austria should be forced to transfer its company from Ostend to Trieste, where Algerine corsairs would act as England's uninvited but effective allies.¹⁰¹ Conscious of whig unanimity behind him, Townshend acted boldly abroad. On 9 August 1726¹⁰² the Dutch joined England and France in a treaty which denounced the Ostend Company. Their tardy adherence was prompted 'by no love or friendship,'¹⁰³ but by the driving force of commercial greed. On the other hand Seckendorf detached the Prussian king from his allies by appealing to his 'German loyalty,'¹⁰⁴ and on 12 October 1726¹⁰⁵ the treaty of Wusterhausen confirmed his defection. It had been difficult for Ilgen and the English party at Berlin to make headway against one who hated the enemies of Germany¹⁰⁶ and saw in their complaints against the Ostend Company but the wrangling of cheesemongers.¹⁰⁷ Russia engaged to help Austria on 6 August 1726,¹⁰⁸ and some of the lesser German states were 'bullied, cajoled, or bought'¹⁰⁹ into the same cause. Townshend replied by securing promises of help in case of war in March 1727 from Sweden,¹¹⁰ and in April from Denmark,¹¹¹ in consideration of subsidies.

The unity of England and her allies was far more formidable than the emperor's loosely knit coalition. None of his adherents were interested in the maintenance of the Ostend Company, and it was on this point that British and Dutch diplomacy found most accord. Public opinion still ran high in England, a crusade against commercial competition being the only essay in offensive foreign politics which appealed to her sordid imagination. Walpole even yielded to Townshend's plan of taking 12,000 Hessians into British pay. The 'patriot' whigs were forced by his acquiescence in the forward policy to belittle the danger of the Belgian rivalry in trade. 'The Ostenders are but an upstart company';¹¹² the alleged plot against the Hanoverian dynasty was but 'Rip-

⁹⁸ Cobbett's *Parl. Hist.* viii. 531. ⁹⁹ *Ibid.* viii. 507. ¹⁰⁰ *Ibid.* viii. 538.

¹⁰¹ Portland MSS., *Hist. MSS. Comm. Report for 1901*, vii. 421.

¹⁰² Lamberty, *ut supra*, pp. 163-7.

¹⁰³ Boyer's *Political State of Great Britain for April 1726*, xxxi. 351.

¹⁰⁴ *Recueil des Instructions données aux Amb. de France, 'Prusse'*, ed. Waddington, pp. lxxiii. 340-2 (1901). ¹⁰⁵ Dumont, *ut supra*, p. 139.

¹⁰⁶ Waddington, *ut supra*, p. 72; Vehse's *Prussia*, p. 51 (Eng. tr. 1854).

¹⁰⁷ Gerba, *Die Feldzüge des Prinzen Eugen*, xviii. 250 (1891).

¹⁰⁸ Lamberty, *ut supra*, p. 168; Dumont, *ut supra*, p. 131.

¹⁰⁹ Hervey's *Memoirs*, i. 86 (1884).

¹¹⁰ Dumont, *ut supra*, p. 141.

¹¹¹ Lamberty, *ut supra*, p. 179.

¹¹² *Some useful Remarks on a late seditious Libel*, p. 16 (1731); Fénelon's *Conversation between two Englishmen*, pp. 11, 39, 48 (1731).

perda's chit-chat.' ¹¹³ Pulteney's school argued that the emperor could allow his subjects to trade where they wished, that the British consumer would only benefit by the decline in the prices of eastern goods,¹¹⁴ and that with regard to Charles's ill return for former English help we had no mandate to punish the ingratitude of princes.¹¹⁵ Ignoring George I's unwillingness to displease Charles and endanger Hanover, the *Craftsman* denounced the government for its German motives,¹¹⁶ and showed that the Spaniards had given the Flemings no privileges which Britons did not themselves possess.¹¹⁷ The support of Sweden and Hesse Cassel cost this country 1,500,000*l.* a year, and that of 'his serene highness the duke of Wolfenbuttle' 100,000*l.*: ¹¹⁸ why incur such liabilities out of fear of 'embarkations which were never made and armaments which were never assembled?' ¹¹⁹ The Jacobite menace was as fictitious as the danger of England's ruin at the hands of the Ostend Company.

Yet the star of Walpole was then in the ascendant and the conduct of the Jacobites gave a useful bias to the fierce commercialism of the hour. If Charles VI was innocent of Jacobite connexions, Catherin  I gave the Stuarts open encouragement.¹²⁰ In 1725 Ripperda was deep in real plots of invasion,¹²¹ and Atterbury's letters reveal a plain intention to barter future tolerance of Ostend for present assistance from Austria. He tells the Old Pretender that he should promise anything as to the Belgian company, 'one of the emperor's favourite views,'¹²² and Wharton is not to refrain from similar tactics to 'awaken and inspirit' Austrian friendship.¹²³ The English government was thus able to blend fear for church and state with fear of trade rivalry in its call to the nation for support. 'Treaties the most solemn are broke,' writes a typical partisan in 1726, 'commerce invaded, and the two former land powers are endeavouring to be maritime in a secret conspiracy with Rome at the head on't.' ¹²⁴ No patriot could suffer his country to be deprived of sea power, and the East India Company of high dividends, by reason of 'the tyranny of an infallible and king-deposing priest on the banks of the Tyber.' ¹²⁵ The opposition lacked signally the service of such masterful casuistry. None of its pamphleteers could write as artfully as the whig writer who in 1726 reminded his

¹¹³ *Politics of both Sides*, p. 14 (ed. 1785).

¹¹⁴ *Reasons against War by an Old Whig*, p. 8 (1727).

¹¹⁵ *Ibid.* p. 11.

¹¹⁶ *State Trials*, xvii. 629.

¹¹⁷ *A Short View of the State of Affairs*, p. 6 (1730).

¹¹⁸ *A Critical History of the Admin. of Walpole*, p. 412 (1748). ¹¹⁹ *Ibid.* p. 408.

¹²⁰ *Transactions of Royal Hist. Soc.* N.S. xiv. 161.

¹²¹ Beer, *Zur Geschichte der Politik Karl's VI*, ubi supra, p. 37; Townshend MSS., *Hist. MSS. Comm. Report XI.*, iv. 196-7; Stirling Moray MSS., *Report X.*, i. 177 (1895).

¹²² Atterbury, *Memoirs*, ii. 169 (ed. 1869).

¹²³ *Ibid.* ii. 195.

¹²⁴ *Second Enquiry*, p. 15 (1726).

¹²⁵ *Ibid.* p. 21.

countrymen that the founder of the Ostend Company was descended from men 'who have bathed their hands in the blood of protestants and made them seal their faith with their lives.'¹²⁶ Bishop Hoadly also entered the field. 'At Ostend,' he wrote, 'the present and future fatal effects of the new establishment are too visible.'¹²⁷ Charles VI had created a prosperous Belgium and a trade rivalry keen 'enough to awaken all Britons who have been used to esteem their commerce as their darling good.'¹²⁸ Such competition made it harder for England to meet the interest on her national debt,¹²⁹ and a war to crush it would help her shipping, preserve her trade, and confirm the protestant faith.¹³⁰ The fear of the Pretender was 'no political bugbear or scarecrow.'¹³¹ An army of controversialists joined in reprobation of 'imperial gratitude'¹³² and urged the danger of tolerating 'the foundation of a new naval power.'¹³³

It is to be observed that the legal aspect of the question which looms so largely in the contemporary Dutch criticism is all but neglected in the pamphlets described above. British selfishness was too honest to base its dictates on law, which fills considerable space only in the well-informed *Batavia Illustrata*, written by Onslow Burrish in 1728 after the issue had been decided. Even this work borrows its juristic weapons from that of the more learned Dutch writers and its interest lies in its national prejudice. The emperor is blamed for rewarding the English people's help against Philip V by 'an endeavour to tear out their bowels.'¹³⁴ The development of Belgian industry will reduce our eastern imports,¹³⁵ our manufactures,¹³⁶ and our fisheries. 'It is impossible for the Flemings to become a trading people without the utmost danger to the commerce of England and Holland.'¹³⁷ Their rise might lead to the liberation of Antwerp from the fetters placed upon it by the jealousy of the maritime powers.¹³⁸

Relying upon such propaganda the government raised the army from 18,000 men to 26,883 in 1727,¹³⁹ and in March 1727 it required Palm the Austrian resident to leave the kingdom for publishing a memorial with a covering letter from Sinzendorf, which denied that the treaty of Vienna embodied any provision for assistance to the Jacobites.¹⁴⁰ Though Walpole shrank from declaring war even after the Spaniards laid siege to Gibraltar, he had already

¹²⁶ *The Importance of the Ostend Company*, p. 50 (1726).

¹²⁷ *Enquiry into the Reasons of the Conduct of Great Britain*, p. 54 (1727).

¹²⁸ *Ibid.* p. 58.

¹²⁹ *Ibid.* p. 79.

¹³⁰ *Ibid.* p. 101.

¹³¹ *Ibid.* p. 41.

¹³² *Evident Approach of a War*, p. 45 (1727).

¹³³ *The Treaty of Seville impartially Considered*, p. 6 (1730).

¹³⁴ Burrish's *Batavia Illustrata*, p. 394 (1728).

¹³⁵ *Ibid.* p. 455.

¹³⁶ *Ibid.* p. 456.

¹³⁷ *Ibid.* p. 457.

¹³⁸ *Ibid.* p. 460.

¹³⁹ Cobbett's *Parl. Hist.* viii. 547.

¹⁴⁰ *Ibid.* viii. 554-61; Boyer's *Political State of Great Britain* for March 1727, xxxiii. 297.

sent one fleet to the Baltic, another to the Spanish coast, and a third against Porto Bello to remind Europe of British supremacy on the sea. The storm of popular indignation which thus moved even Walpole to action has never been adequately recorded. To foreign authorities, like Huisman England's part is always secondary, and Townshend's foreign policy has been treated as less determinate than that of the states-general. The insularity of the British dialectic of the day deprived it of recognition abroad, while the official memorials of the Dutch at once required most eager criticism and reply. It is however reasonable to believe that the defeat of the Ostend Company was really due to the relentless energy of the middle-class whigs, whose opinions found expression in the tracts with which we have dealt.

It is clear that they won for Townshend the lingering support of Walpole, and the former was thus enabled to act without a moment's hesitation. His implacable resolve to destroy the Belgian project involved also the opposition of France. That state should perhaps have doubted the expediency of upholding English trade interests, but it recognised that its own East India Company was affected by the growth of Ostend factories at Bankipur near Chandernagar and at Coblom near Pondicherry,¹⁴¹ and that the necessary peace of Europe rested on an alliance with Great Britain. In 1728 du Bourg, its ambassador at Vienna, was directed to act in concert with the representatives of the maritime powers,¹⁴² and French subjects were prohibited from taking part in the formation of the Ostend Company. When Fleury came into power in 1726 he was averse to the English suggestion of a blockade of Ostend, but otherwise he deferred to Townshend's views during 1726 and 1727,¹⁴³ and Richelieu gave them steady support at Vienna.¹⁴⁴ 'The king,' wrote Townshend, 'expects France to use its utmost efforts against the emperor.'¹⁴⁵ The adherence of that state indeed was decisive of ultimate success and it was far from being caused by the attitude of the dilatory and pacific United Provinces. England and England alone¹⁴⁶ was determined to kill the Ostend Company at all costs.

Nevertheless a story of this least worthy of British triumphs would be very partial if it minimised the effects of the assistance of the Dutch. Ker said truly that they 'would stick at nothing by fair or foul means to destroy a trade that interfered with them.'¹⁴⁷

¹⁴¹ Hunter's *Imperial Gazetteer of India*, vi. 373.

¹⁴² *Recueil des Instructions données aux Amb. de France*, 'Autriche,' ed. Sorel, i. 211 (1894). ¹⁴³ *Engl. Hist. Rev.* xvi. 72 (1901). ¹⁴⁴ Sorel, *ut supra*, i. 213.

¹⁴⁵ Townshend MSS., *Hist. MSS. Comm. Report XI*, iv. p. 111 (1887); cf. Beer, *Zur Gesch. der Politik Karl's VI*, ubi supra, p. 41.

¹⁴⁶ Boyer's *Political State of Great Britain* for August 1781, xlii. 143; Portland MSS., *Hist. MSS. Comm. Report* for 1901, vii. 416.

¹⁴⁷ Ker's *Memoirs*, i. 167.

and they found in Barbeyrac and Westerveen lawyers who were able to cloak their envy with the trappings of juristic principles. When reading their subtle interpretations of the meaning of treaties we have to consider that the eastern trade of the Netherlands was in decay and to remember how frankly their true motive appears in the remonstrance of the East India Company's directors in March 1723, wherein they complained that 'your petitioners are daily more and more sensible of their loss by the fall of the price of their goods.'¹⁴⁸ Yet the actual memorial presented by Pestors to Prié in April 1723 and the official papers of the West and East India Companies rely entirely on alleged breaches of treaties.¹⁴⁹

The sixth article of the treaty of Münster limited the rights of 'Castilians' trading with the East Indies to the extent to which such rights had been previously exercised and deprived them of the power to extend their trade beyond its then limits.¹⁵⁰ It was argued that in view of the context 'Castilians' meant all subjects of the king of Spain, including the people of the Spanish Netherlands. Such subjects were also excluded from the Dutch East India Company's sphere of influence. The Barrier Treaty, while passing sovereignty over the Spanish Netherlands to Charles VI, restricted his rights to the manner in which they had been previously enjoyed by kings of Spain. Consequently if (as had been the case) Flemings had been disqualified before from Asiatic commerce they remained so under the emperor. The treaty of Vienna was itself a breach of the Barrier settlement, as it altered the status of the Belgian people.

To rebut the Dutch allegations Charles turned to MacNeny, whose offices included that of *fiskaal* or attorney-general. Describing the heavy logic of the enemy as 'airy, empty discourses,'¹⁵¹ that sagacious Irishman argued that the treaty of Münster did not apply to any Spanish subjects but in Spain proper,¹⁵² and if the emperor now ruled the Low Countries it was as successor to Charles II in his capacity as duke of Brabant or count of Flanders, not as king of Spain. Even if the Dutch construction was correct the Ostend Company did not aim at trading outside the limits of Spanish enterprise in 1648.¹⁵³ The Barrier Treaty did not affect the Flemings beyond the boundaries of the Low Countries,¹⁵⁴ and the right to trade in any part of the globe is inherent to all

¹⁴⁸ Appendix to MacNeny's *Freedom of the Subjects of the Austrian Netherlands*, p. 58 (1723).

¹⁴⁹ These are set out in Dumont, *ut supra*, pp. 78-80.

¹⁵⁰ For the Dutch contentions see the appendix to MacNeny's tract, *ut supra*; Dumont, *ut supra*; Burrish's *Batavia Illustrata*, pp. 433-55 (1728); Montgon, *Mémoires*, ii. 271-3, 561-71; Hoadly's *Enquiry*, pp. 63-72; Boyer's *Pol. State of Great Britain* for Feb. 1723, xxvii. 122-35.

¹⁵¹ MacNeny's *Freedom of the Subjects of the Austrian Netherlands*, p. 1.

¹⁵² *Ibid.* p. 4.

¹⁵³ *Ibid.* p. 21.

¹⁵⁴ *Ibid.* p. 38.

sovereign peoples.¹⁵⁵ On the question of law MacNeny was probably right,¹⁵⁶ but his tract is dull.

Pattyn's *Maritime Commerce* is a far more spirited work in the same cause. The writer appeals to the eternal natural law, by which God alone has dominion over the deep and no nation can stay the actions of another on the seas. References to the Psalms and Gaius jostle illustrations from Grotius and from those Dutch authorities who had themselves upheld the same doctrine of *mare liberum* against Selden's 'frivolous distinctions.'¹⁵⁷ Except within its own possessions no state can prohibit another's trade.¹⁵⁸ Pattyn holds that the phrase *sans se pouvoir étendre plus avant*¹⁵⁹ in the treaty of Münster can only refer to new conquests by Spaniards and was never intended to apply to the Belgian provinces.¹⁶⁰ After mentioning Charles's offers to limit the number of ships¹⁶¹ sent from Ostend or the nature of their freights, he begs his 'dear compatriots' to defend their own rights and the liberties of all mankind.¹⁶²

Unhappily for the company the emperor was unable to support his literary defenders by force of arms. Spain alone of his allies desired war, and between January and June 1727 she flung her troops against Gibraltar. In the empire there was general reluctance to lose the goodwill of England and Holland for a cause in which Germans had no interest. In December 1726 Bavaria intimated that she would not regard as 'imperial' a war waged on behalf of the Ostend Company.¹⁶³ Efforts were indeed made to raise the Austrian army to a war footing,¹⁶⁴ but the queen of Spain's 'mad prodigality'¹⁶⁵ had already spent itself and Charles had to fulfil his own promises of subsidies without her help. His troops remained ill-paid and ill-clothed. His plans of campaign could not be executed for want of available men. His navy was negligible. The death of the empress Catherine in May 1727 ended his hopes of Russian support, and sustained conflict with the great powers arrayed against him was as much beyond his intentions as beyond his capacity.

Moreover Eugene had regained his former influence. Vicar-general of Italy, president of the aulic council of war, commander-in-chief of the empire, principal member of the council of confer-

¹⁵⁵ MacNeny's *Freedom of the Subjects of the Austrian Netherlands*, p. 41.

¹⁵⁶ Coxe's view is unjust on this point (*House of Austria*, ii. 77).

¹⁵⁷ Pattyn, *Le Commerce Maritime*, p. 42 (1727).

¹⁵⁸ *Ibid.* p. 90.

¹⁵⁹ *Ibid.* p. 125.

¹⁶⁰ *Ibid.* p. 99.

¹⁶¹ *Ibid.* p. 170.

¹⁶² *Ibid.* p. 174; compare the similar arguments of the estates of Brabant, given in Dumont, *ut supra*, pp. 80-2.

¹⁶³ *Recueil des Instructions données aux Amb. de France*, 'Bavière,' ed. Lebon, p. 180 (1889).

¹⁶⁴ On which see Gerba, *Feldzüge des Prinzen Eugen*, xviii. 255; *Mémoires de l'Abbé de Montgon*, iii. 392.

¹⁶⁵ Hervey's *Mémoires*, i. 104.

ence, he pressed steadily for concession with all the assurance of justified pessimism.¹⁶⁶ Indifferent to Belgian aspirations, and attaching perhaps undue importance to foreign recognition of the Pragmatic Sanction, he induced Charles VI to offer to suspend the company's exercise of its rights under his charter first for two years and then for three. The emperor, as he told the diet in March 1727, made 'all imaginable offers to end the misunderstanding of which the Ostend Company was the cause or rather the pretext, in a Christian and amiable spirit.'¹⁶⁷ The allies refused to relieve him in return of the monetary burdens imposed by the Barrier Treaty¹⁶⁸ and insisted on a longer suspension. Villars and Richelieu were more lenient¹⁶⁹ and Charles's pride was saved by the avoidance of the term 'suppression' in the preliminaries of peace signed at Paris on 31 May 1727.¹⁷⁰ The synonym of a seven years' suspension of the privileges 'commonly called the *octroi*' of the company was accepted and all commerce closed between the Austrian Netherlands and Asia. The ships then actually at sea, twelve in number according to the emperor's claim, were to be allowed to bring their cargoes home, and outstanding questions were to be submitted to a congress at Soissons.

It is remarkable that after May 1727 ships continued to sail from Ostend in defiance of these terms. In May 1730 two large Belgian vessels flying Polish colours were discovered off the coast of Bengal,¹⁷¹ which with another fell victims to English vigilance in September.¹⁷² Charles VI however was driven further than ever by political necessity from the idea of renewing his support. On 6 March 1728¹⁷³ preliminaries of peace were concluded between Great Britain and Spain at the Pardo, and France was a third party on 9 November 1729¹⁷⁴ to the formal treaty of Seville. Anxious to secure Italian lands for Don Carlos at the emperor's expense, and indignant at his desertion in 1727, the Spaniards disclaimed the intention to grant any privileges by the treaties of Vienna contrary to subsisting treaties. They won Townshend's active help by their abandonment of Ostend, and Eugene's effort to procure permission to send two ships from that port every year was therefore foiled.¹⁷⁵ He and Sinzendorf, than whom Austria 'never had two more able servants,'¹⁷⁶ realised that Charles was isolated and that persistence was hopeless. The emperor during 1730 still clung to the vision

¹⁶⁶ Portland MSS., *Hist. MSS. Comm. Report for 1901*, vii. 419.

¹⁶⁷ Dumont, *ut supra*, p. 143.

¹⁶⁸ Beer, *Zur Geschichte der Politik Karl's VI*, *ubi supra*, p. 39.

¹⁶⁹ Villars, *Mémoires*, v. 49, 55 (ed. 1892).

¹⁷⁰ Dumont, *ut supra*, pp. 146-7.

¹⁷¹ Boyer's *Political State of Great Britain for May 1730*, xxxix. 459.

¹⁷² *Ibid.* for September 1730, xl. 305.

¹⁷³ Dumont, *ut supra*, pp. 150-1.

¹⁷⁴ *Ibid.* pp. 158-60; Lamberty, *ut supra*, p. 189.

¹⁷⁵ Beer, *ut supra*, pp. 51, 56.

¹⁷⁶ Hervey's *Memoirs*, i. 76.

of commercial expansion and Eugene remained 'out of character' ¹⁷⁷ at court. Yet when Robinson came to Vienna in June 1730 the battle was all but lost. Germans recognised that British friendship was worth more to them than Belgian prosperity. Kinski the imperial ambassador in London threw off the restraint imposed upon him by a government on the verge of conversion, and went 'in great mirth' to Tunbridge Wells in July 'with a troop of foreigners,' and spent eighty pounds 'in presents and raffles.' ¹⁷⁸ In February 1731 Walpole persuaded George II to allow the British demands to be pressed without reference to Hanoverian claims. On 16 February Sinzendorf said definitely that 'the emperor has given up the Ostend trade by which the Netherlands will be ruined.' ¹⁷⁹ In March 1731 Robinson reported that 'the business is now done,' ¹⁸⁰ and on the 16th the second treaty of Vienna ¹⁸¹ was concluded without Fleury's concurrence. Its fifth article provided that the emperor would 'cause to cease instantly and for ever' all trade carried on under his charter to the company. Two vessels only might put to sea once again and might return with cargoes. A commercial treaty should be negotiated in accordance with the provisions of the Barrier Treaty. Four days later Robinson wrote, 'They all complain here that I have sucked them to the very blood,' ¹⁸² but in general Charles's German subjects were not dissatisfied. They had alienated England from Spain, if not from France, and had won her support of their dynastic aims merely by acquiescing in the inevitable sacrifice of two Italian duchies and of the alien Ostend Company, 'the original cause of all the jumble among the princes of Europe.' ¹⁸³

We have now to see how far the actual work of the company justified British jealousy. In spite of molestation by British and Dutch, by so called 'Moors' ¹⁸⁴ in India and by 'the Turks of Barbary,' ¹⁸⁵ it was far from being the 'mere paper company' ¹⁸⁶ of accepted history. Its most remunerative trade was with Canton, whither eleven vessels penetrated during the period of its existence. The chief depots in India were those of Coblom, already mentioned, and Bankipur or Banky-bazar on the Hugli between Calcutta and Chinsura. ¹⁸⁷ Another Bengal station was at Kasimbazar or

¹⁷⁷ Weston Underwood MSS., *Hist. MSS. Comm. Report X.*, i. 244 (1885).

¹⁷⁸ *Suffolk Letters*, i. 373 (ed. 1824).

¹⁷⁹ Weston Underwood MSS., *Hist. MSS. Comm. Report X.*, i. 247.

¹⁸⁰ Coxe's *Lord Walpole*, p. 173 (1802).

¹⁸¹ Lamberty, *ut supra*, pp. 198-201; Dumont, *ut supra*, pp. 213-6.

¹⁸² Coxe's *Sir R. Walpole*, iii. 100 (1798).

¹⁸³ Boyer's *Political State of Gt. Britain* for August 1731, xlii. 143.

¹⁸⁴ Huisman, p. 366; Scrafton's *Reflections on Indostan*, p. 19 (1763).

¹⁸⁵ *The Advantage of Peace and Commerce*, p. 34 (1729).

¹⁸⁶ Carlyle's *Frederick the Great*, i. 536 (1858).

¹⁸⁷ These places have been located by Hunter 'by personal inquiry on the spot'; *Imperial Gazetteer of India*, ii. 77; vi. 373.

Casembazar on the western branch of the Ganges.¹⁸⁸ Trade relations were also established under treaties with the princes of Tunis, Tripoli, and Algiers.¹⁸⁹ In the seven years following 1728 the sum of 576,800*l.* was distributed in dividends on a paid-up capital of some 420,000*l.*¹⁹⁰ Silk, tea, coffee, chintz, neckcloths, gingham, and pepper were imported, but not nutmegs, cloves, and other spices, of which the Dutch enjoyed a monopoly. The marvellous growth of Ostend and of Belgian shipping, of customs and general wealth during the life of the company is described in Huisman's patriotic pages. Subsidiary undertakings thrived upon the work of the parent body, and the fertile mind of Ker of Kersland found its last inspiration in the idea of forming a company to supply the heathen with 'good English brewed beer' ¹⁹¹ at twelve times its price in Europe. The Ostend shares stood at 122½ early in 1727; they fell to 47 after the treaty of Paris, but rose to 120 in 1730¹⁹² in view of a possible amalgamation with some foreign company.¹⁹³

Charles's final abandonment of the scheme in 1731 did not stifle all enterprise at Ostend. In March 1732 the two ships authorised by the treaty of Vienna sailed respectively for China and Bengal,¹⁹⁴ their return according to an exultant critic in England being the last 'arrival at that port from the East Indies for many years to come.'¹⁹⁵ Yet as early as September 1731 British suspicions as to the due observance of the treaty were kindled by the voyage of an Ostend ship to the east under Prussian colours,¹⁹⁶ the captain being a Dunkirk seaman 'who in the year 1715 carried the Chevalier de St. George to Scotland and back again.'¹⁹⁷ Another Ostend vessel captured by the English bore the colours of Poland. In November 1732 a Belgian merchantman 'with all the signs of an interloper'¹⁹⁸ excited fresh suspicion, and a dividend of twelve per cent. was paid in 1735. The Coblom factory still existed in 1750, that of Canton in 1785. The company itself was not extinguished till 1793. Yet Charles VI never admitted any intention of reviving his sanction,¹⁹⁹ and the assets of the company shrank in actual fact to insignificance in 1731. Its seamen migrated abroad and Ostend only possessed six vessels when Charles died in 1740.

Belgian writers have denounced Austria for throwing away

¹⁸⁸ Beawes, ii. 221 (ed. 1813).

¹⁸⁹ Dumont, *ut supra*, pp. 129, 135, 140.

¹⁹⁰ Huisman, p. 530.

¹⁹¹ Ker's *Memoirs*, iii. 49-51.

¹⁹² Boyer's *Political State of Great Britain* for September 1730, xl. 305.

¹⁹³ Huisman, pp. 458-61.

¹⁹⁴ Boyer's *Political State of Great Britain* for April 1732, xliii. 391-2.

¹⁹⁵ *Ibid.* for March 1735, xlix. 288.

¹⁹⁶ *Ibid.* for September 1731, xlii. 305, and for November 1731, xlii. 511. ¹⁹⁷ *Ibid.*

¹⁹⁸ Weston Underwood MSS., *Hist. MSS. Comm. Report X.*, i. 250 (1885).

¹⁹⁹ Hubert, *Les Garnisons de la Barrière*, p. 256.

the reality of Flemish welfare for the mirage of a recognition of the Pragmatic Sanction. The company was a financial success; unimpeded its future might have been politically brilliant. The fortunes of Ostend were abandoned for the sake of dynastic interests, and the futility of the sacrifice was proved abundantly in the sequel. As to Eugene, something can be said to justify the accusation. He was the patron of Prié and the despoiler of the Austrian Netherlands. Ailesbury's charge that he 'never spent a shilling in the country' ²⁰⁰ is not literally true, ²⁰¹ but it suggests his attitude with sufficient accuracy. He enriched himself from its revenue and made his favourites its officials. ²⁰² His only recognition of its popular privileges was to set up the plea of the Joyeuse Entrée to defeat the English attempt in 1721 ²⁰³ to extradite Knight, the South Sea Company's absconding cashier, 'a little criminal small in his character but great in his crime,' ²⁰⁴ whose escape was connived at by Prié for a consideration. Knight, 'in all appearance a fair, obliging man,' ²⁰⁵ was thus enabled to keep a great table at Paris, where 'being both generous and rich' he was 'much visited and esteemed,' ²⁰⁶ while Eugene figured for a moment as champion of Belgian liberties. In every other case he stood remote from Flemish thought and refused to load Austria with fresh liabilities on behalf of a people whom he distrusted.

Nevertheless much can be said for the policy which Eugene advised and which Charles VI was driven to adopt. Persistence in what is now called 'empire-building' could only involve Austria in everlasting conflict with England and Holland, and in money difficulties from which no escape was possible. The war of the Polish succession found the emperor destitute of ways and means and his state demoralised, and this notwithstanding Eugene's leadership and a British loan. A few years later Austrian exhaustion and incompetence were even more appalling. Under such circumstances surrender was inevitable, whether with or without fighting. Eugene, though himself an accomplished soldier, never preferred the possibilities of glory to the concrete boon of political security. Charles's conduct stands on a different footing, for the visions of sea power and the wealth of the Indies were very dear to him. He had however too little of the heroic to do battle for his dreams. It is ironical that he should be singled out for blame as

²⁰⁰ *Ailesbury Memoirs*, ii. 659.

²⁰¹ For his purchases of Brussels tapestry see Keyser's *Travels*, iv. 177 (ed. 1760); Pöllnitz's *Travels*, i. 235, iv. 47 (1737).

²⁰² J. B. Rousseau, *Œuvres*, v. 43.

²⁰³ Cobbett's *Parl. Hist.* viii. 707-9, 757-9, 791-6; Boyer's *Political State of Great Britain* for April 1721, xxi. 403; Onslow MSS., *Hist. MSS. Comm. Report XIV.*, ix. p. 507 (1895). ²⁰⁴ Trenchard's Letter in the *London Journal*, 1721, p. 62.

²⁰⁵ Carlisle MSS., *Hist. MSS. Comm. Report XV.*, vi. p. 28 (1897).

²⁰⁶ *Ibid.* p. 77.

the deserter of Belgium, for he held out long against the pressure of overwhelming necessity. It is clear that war could not have saved Ostend from the hatred of the powers who ruled the sea. All that can be said against Charles VI is that he did not dare to be great.

Nor is it right to condemn Austria herself. Her indifference to the whole venture was throughout obvious and deep-rooted. Commerce was then scorned at Vienna, and even the emperor's protection was barely able to preserve the small Jewish colony in his capital from the bigotry and avarice of the Jesuits and the aristocracy. Rialp and his Catalan coterie had helped the Belgians against Eugene and Prié for their own ends alone,²⁰⁷ and except for Eugene who sold his comparatively small stake in the Ostend Company as early as 1725,²⁰⁸ and for Windischgrätz who sold out in November 1728, no Austrian official applied for shares at the first allotment. Beyond the Low Countries hardly one of Charles's subjects had any financial interest in a cause for which they were asked to embroil Europe. It was of course unfortunate that a small but enterprising race should have been linked in subjection to a callous and inefficient empire, but it would be unjust to blame Austria for refusing to face in the field the great forces arrayed against her, to contend for long against the influence which always attaches to maritime ascendancy and supremacy in wealth. The historian however, while recognising the wisdom of prudence, may feel a lurking regret that Eugene so plainly feared to grasp 'the skirts of happy chance.' The struggle for self-preservation which Austria had to endure in 1741 would hardly have been more bitter or disastrous in 1727, when Russia, Spain, and Prussia were her allies. The path which Eugene and Charles VI felt obliged to tread did not lead to the skies.

As for England's share in effecting the Ostend Company's downfall, there is room for much controversy. It was regretted in after years on two grounds. In the first place it meant the perpetuation of the East India Company's monopoly, and therefore of its arbitrary prices. As early as 1731²⁰⁹ it was suggested that the consumer lost by the system, and in 1732 one writer declared that 'underselling is the only natural method of engrossing a trade'²¹⁰ and a far better one than the state-aided annihilation of competitors. Secondly, it was alleged by Pitt in 1742 that 'the abolition of the Ostend Company was a demand we had no right to make, nor was it essentially our interest to insist upon it'²¹¹ in view of the family compact between France and Spain, which he considered

²⁰⁷ *Recueil des Instructions données aux Amb. de France, 'Autriche,'* ed. Sorel, i. 228.

²⁰⁸ Huisman, p. 357.

²⁰⁹ Boyer's *Political State of Great Britain* for October 1731, xlii. 405.

²¹⁰ *Ibid.* for September 1732, xlv. 586.

²¹¹ *Anecdotes of Chatham*, i. 72 (ed. 1810).

the direct result of England's violence against Spain in 1725 and of her bargain with Austria in 1731. On the other hand the material advantages derived from the defeat of Belgian ambitions over sea were recognised by the mercantile class; 'I never heard,' writes a whig of 1729, 'that any man was wild enough to affirm that the trade carried on at Ostend was of no consequence whatever to us.'²¹² Monopoly, however unsound economically, was a natural phase in the development of both our colonial and East Indian policy. Of course, England's conduct was dictated by the candid selfishness of the age of Walpole. In 1726 Defoe laid down three postulates for public policy. 'We are the greatest country in the world; our climate is the most agreeable to live in; our Englishmen are the stoutest and best men in the world.'²¹³ It followed that in the struggle for supremacy among the nations nothing was to be allowed to stay the race from falling to the swift and the battle to the strong. After the company's suspension of business in 1727 one British writer drew attention to the likelihood of Asiatic goods entering western Europe by a new route through Russia.²¹⁴ He therefore urged the country to follow up its diplomatic triumph over Austria by prohibiting trade with St. Petersburg; 'or if you will go a shorter way, commence a war and beat the Muscovites out of Livonia and Ingria, and so give them no ingress to the Baltick Sea.'²¹⁵ The suggestion is typical and shows how little care was taken by eighteenth-century Britons to veil their greed by an idealism they could not feel. The story of the attack upon the Ostend Company has no trace of the self-sacrifice and public spirit which go so far to disarm criticism of more familiar chapters in the history of English expansion.

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²¹² *The Craftsman Extraordinary*, by John Trot (1729); cf. Bruce's *Conduct of the Emperor*, p. 14 (1733).

²¹³ *The Compleat English Tradesman*, i. 369 (1726).

²¹⁴ *The Advantages of Peace and Commerce*, p. 19.

²¹⁵ *Ibid.* p. 35.

Frederic William Maitland

† 21 DECEMBER 1906.

A GREEK myth tells us of a king at whose touch all objects, however homely, were turned into gold. We do not see such transformations nowadays, but we know another king at whose touch every living being, however noble, is turned into dust. King Death has touched with his wand one of the most subtle and profound thinkers of our time, and stores of patiently accumulated knowledge, marvellous designs of a creative intellect have disappeared for ever from this world of ours. The best thing we have to do is to look for moral support to the example of the fallen champion, to his indomitable energy and absorbing devotion to his task through a life of pains and forebodings which might have crippled a less courageous nature. Of late years he was walking in the shadow of death in a more manifest sense than most of us, but he was too proud and strong to slacken in his efforts.

It is not my intention in the present notice to give anything like a complete account and estimate of Maitland's achievement; it is too early yet to condense its value in a short summary, and in one way or another all students of English law and history must realise constantly the importance of his bequests in the course of their own work. I should like merely to tell the readers of this Review of some impressions created by his personality and his writings in the mind of one who has had many opportunities to study both. It has been my privilege to stand very near Maitland in the early stage of his career, and since then our friendly intercourse has never been interrupted, in spite of the fact that I lived most of the time in another country and our personal interviews were not very frequent. I met him the first time at a friend's house in London in the beginning of 1884. It was at a dinner party, at which Sir Henry Maine was present. Maitland did not take much part in the talk, and listened modestly, but when we went home together we had some interesting conversation on the subject of our studies. He said, among other things—and he often repeated to me afterwards—that he would much rather devote

his life to the historical study of English law than watch in his chambers in Lincoln's Inn for the footsteps of the client who never comes. Since that day we met often, and I always look with a peculiar feeling on the *Gloucester Pleas of the Crown*, the *Note Book of Bracton*, the *Rolls of King's Ripton*, and many pages of my own book on *Villainage*. They recall to my mind endless talks on remote problems of legal and social history; there are many personal traits about them which the duty of addressing a large audience of strangers has not entirely wiped out.

I am, perhaps, dwelling too long on these recollections, which concern chiefly myself. To his ever increasing public of readers and pupils the great scholar stood also in a kind of special, personal relation through his style, the literary presentment of his subject. The French saying, *Le style c'est l'homme*, seems true in more ways than one. A writer's style is not only a significant expression of his character and moods; it constitutes a sort of medium between him and his audience; it may attract and electrify, or, on the contrary, it may jar on them. It is not for me to speak of the idiomatic pith, the boldness and picturesqueness of Maitland's style; but I may be allowed to dwell on a feature which has been often noticed by more competent judges: one of the qualities which contributed most to attract his readers and to dispose them towards admiration and persuasion was the wealth of humour that pervaded all his writings, in spite of their severe aims and their highly technical details. It is certainly not of smoothly polished classical patterns that one is reminded when reading brilliant pages on Anglo-Saxon hides, medieval modes of pleading, or German juridical theories. The poignant sense of the irony of life makes one rather think of Shakespeare, the continual shifting of colour and light of Sterne, the coruscating epigram of Meredith. One may take illustrations almost at random, and I do not try to select an especially happy one by quoting a passage from the introduction to Gierke's *Political Theories of the Middle Age*.

The Realist's cause would be described by those who are forwarding it as an endeavour to give scientific precision and legal operation to thoughts which are in all modern minds and which are always displaying themselves especially in the political field. We might be told to read the leading article in to-day's paper and observe the ideas with which the writer 'operates': the will of the nation, the mind of the legislature, the settled policy of one State, the ambitious designs of another: the praise and blame that are awarded to group-units of all sorts and kinds. We might be asked to count the lines that our journalist can write without talking of organisation. We might be asked to look at our age's criticism of the political theories and political projects of its immediate predecessor and to weigh those charges of abstract individualism,

atomism, and macadamisation that are currently made. We might be asked whether the British Empire has not yet revolted against a Sovereign that was merely Many (a Sovereign Number as Austin said) and in no sense really One, and whether 'the People' that sues and prosecutes in American courts is a collective name for some living men and a name whose meaning changes at every minute. We might be referred to modern philosophers: to the social tissue of one and the general will, which is the real will, of another. Then, perhaps, we might fairly be charged with entertaining a deep suspicion that all this is a metaphor: apt perhaps and useful, but essentially like the personification of the ocean and the ship, the storm and the stormy petrel.¹

One of the most marked peculiarities of such a style is its vividness, the power of closing abstract reasoning into forms taken from the living world of shapes and sounds. The wealth of concrete illustration was not suggested in this case merely by artistic taste. It corresponded to a constant striving of the mind to obtain a full and close grasp of the subject studied. Powerful though he was in abstract speculation and dialectic analysis, what Maitland wanted most was to trace ideas to their embodiment in facts, to sketch their ramifications and complications in practice. Therefore he never fell a prey to those scholastic formulæ in which analytical jurists often delight. It is interesting to watch him in close proximity to prominent German jurists.

He much admired the work of Gierke, for instance, and fully appreciated the part played by the 'Germanists' in the remodelling of their country's private law. Of late years he had begun studying very attentively the German civil code,² and even, I believe, to translate portions of it in his spare moments. But the reading of his preface to the *Political Theories of the Middle Age* suggests interesting comparisons with the main text of the German writer; the latter is, after all, a masterly exposition of formulæ and principles, while the English introduction tries to reduce all theories to their practical consequences, and to sketch their evolution in all the complexity of their natural environment. Of Jellinek's dogmatic constructions and of his deductive 'Study of the State' Maitland never had occasion to speak; but in a recent production of one of Jellinek's pupils, Hatschek's *Handbook of English Public Law*, much is said about coincidences with Maitland's views in regard to English public bodies as representing 'passive unions' (*passive Verbände*) in contrast with 'active' ones.³ There is good reason to believe that this pitting of abstract categories against one another did not meet with

¹ *Political Theories of the Middle Age*, pp. xl, xli.

² See, e.g., the address published in the *Independent Review*, August 1906.

³ E.g. *Englisches Staatsrecht*, vol. i. For a thoroughly competent estimate of this book see *Law Quarterly Review*, xxi. 309-313, 1905.

Maitland's approval, and the latter's masterly analysis of the life of English townships and parishes, boroughs and counties, certainly does not lend itself to such scholastic distinctions. He laid stress on their responsibilities in regard to the State, but did not consider them as produced by outside pressure or void of active interests and life. In this case, as in the study on trusts,⁴ Maitland was chiefly concerned to show by what legally imperfect and clumsy means the need for corporate organisations is sometimes met in practice, and how slowly a clear conception of the principles of an institution ripens in the course of its historical life. A London club or an Inn of Court serves the purposes of a social or collegiate group, although the technical principle of the corporation is absent in this and in many other similar cases. Even so the vill and the county were certainly groups with independent cohesion and real interests; but it was important to show to what extent their self-government was determined, among other things, by the requirements of central government. It may perhaps be urged that Maitland's statements are somewhat eccentric in form and influenced by his desire to avoid commonplaces, but they do not fit into the pigeon-hole of the *passiver Verband*.

Even so the attention bestowed on the concrete, the interest for first-hand evidence, the disinclination to deal in other people's words made it impossible for our scholar to sympathise either with the old-fashioned doctrines of Austinian jurisprudence which he found to be 'nature-rightly'⁵—that is, outside the frame of space and time—or with grandiloquent 'sociology,' piling up hollow terms and pretentious generalisations on very slight foundations of fact. He was emphatically *an historian*, a student of actual development in the past. Although his work never stuck in details for their own sake, it will always remain an example of what a thorough grasp of details and keen investigation of all the particulars of a case can mean in the research of scientific truth. For a teacher of this kind the drudgery of special disquisitions did not exist, because every minute observation connected itself with other observations on the lines of a profound insight into general processes. He shared the enthusiasm of the naturalist who is not repelled by the mean or the insignificant, for whom such terms have, in truth, no meaning; so he thoroughly realises that a microscopic study of tissues, a patient observation of the structure and doings of infinitesimal *protozoa* is as essential as the description of mighty and beautiful specimens. And Maitland was not scared when, in order to read and to publish Year Books, he, the jurist,

⁴ 'Korporation und Trust,' in Grünhut's *Zeitschrift für das Privat- und öffentliche Recht der Gegenwart*, 1903.

⁵ *Political Theories*, p. xliv.

had to build up a grammar of corrupt law French and to fathom the inadvertences and blunders of fourteenth-century legal students taking hurried notes in court.

On the other hand he was not likely to rest content with supposed juridical notions of a permanent nature. Wielding the sharp scalpel of the lawyer with consummate ability within given surroundings, he was never oblivious of the relative and changeable character of the first principles from which legal analysts have to evolve their arguments. The most fascinating task of the legal historian was to watch the gradual modification of legal rules, the half-instinctive adaptation of legal theory to the promptings of business or to the interests represented by conflicting social forces. We should claim on behalf of the Year Books that

. . . they show us a marvellous deal of the play of those moral and economic forces of which legal logic is the instrument, and, often, if we may say, the reluctant instrument. Our old lawyers were fond of declaring 'that the law will suffer a mischief rather than an inconvenience,' by which they meant that it will suffer a practical hardship rather than an inconsistency or logical flaw. But . . . we are forcibly told where the mischief lies, where the shoe pinches, even when we are also told that the unconformist foot that will not fit the shoe is a bad foot and ought to be pinched. And then, as we compare case with case, we see that more commodious shoes are made for growing feet: logic yields to life, protesting all the while that it is only becoming more logical.⁶

The touch of irony so characteristic of Maitland's style is certainly not the product of literary mannerism. Its effectiveness depends on habits of mind, which led him to approach most subjects in a sceptical mood. He seems to be wandering in a strange world, crowded with fancies and shams. He is constantly on the alert against traditions kept up out of sheer indolence of mind, against political and religious prejudice, against complex theories devoid of foundation in reality. And his criticism generally illustrates the maxim, *Suaviter in modo, fortiter in re*. With all reverence to acknowledged authorities he is often able to show that many of their constructions are hollow, and do not stand a searching examination. In the essays on *Canon Law*, for instance, Maitland, though dissenting from all churches, supports in substance the contentions of Roman catholic scholars against a kind of ante-dated Anglicanism favoured by Bishop Stubbs. The genuine respect felt by Maitland for this eminent man did not prevent the critic from exposing pitilessly the gaps and inconsistencies of the evidence appealed to.⁷ One of the motives for drawing a remarkable parallel between Azo and Bracton was the desire to enter a protest

⁶ Introduction to *Year Books*, vol. i. pp. xviii, xix.

⁷ E.g. *Roman Canon Law in the Church of England*, pp. 52, 53.

against a view propounded by Maine with more assurance than discretion in regard to the influence of the civilian on the English lawyer.⁸ Altogether the principles and methods of the school of comparative jurisprudence as expounded by Maine did not find much favour with our scholar. He was too exacting in his handling of evidence and too distrustful of general assumptions to let pass without a challenge wide statements more often supported by allusions than by definite proofs. Moreover it seemed to him that one of the leading ideas of the school—namely, the view that different nations pass approximately through the same stages of evolution—was fundamentally wrong. Races and nations do not travel by the same roads and at the same rate; each chooses its own direction and traverses the country at a different speed. The interest of history lies in taking note of these different records and not in grinding down characteristic varieties to colourless uniformity.⁹

On several very important points Maitland criticised the teaching of investigators hailing from the comparative school. He was, for instance, opposed to the idea of a primitive collectivism shaping the early land law of Indo-European nations, and of England in particular. He looked at the old English townships from a point of view acquired in the course of a study of medieval law in its express manifestations. They appeared to him chiefly as organisations for the collection of dues, the assumption of responsibilities, and the management of some economic concerns with but a slight legal admixture. Communalism evaporates at the touch of legal doctrine,¹⁰ as he puts it. No evidence of a township moot as distinct from the manorial court is forthcoming; the doctrine of corporation appears altogether unfit to explain the ties between villagers. Economic and legal development starts from the notion of 'mine' and not from that of 'ours.'

What may be called Maitland's antiquarian individualism brought him into collision with the teaching about tribal as well as about agrarian communities. Evidence supplied by Celtic material never seemed quite satisfactory to him; it was too illogical, too incoherent, presented in too uncritical a manner.¹¹ And the fundamental conception of agnatic kinship was dissolved for him by the consideration that relationship through women, necessarily divergent, appears as the earliest form of relationship.¹² Thus Maitland was always inclined to follow individualistic lines when explaining ancient society, although he admitted that the influence

⁸ *Bracton and Azo* (Selden Soc., vol. viii.) p. xiv.

⁹ *Domesday Book and Beyond*, pp. 345, 346.

¹⁰ *History of English Law*, i. 619; *Domesday and Beyond*, p. 150.

¹¹ Review of Seebohm's 'Tribal System in Wales,' *Economic Journal*, vol. v.

¹² *History of English Law*, ii. 238 ff.

of groups made itself felt, to a certain extent, in a loose and extra-legal way. Fustel de Coulanges's clear-cut individualism did not suit him. He often said, in conversation, that the great French *savant* had probably never vouchsafed to look at the map of an open-field country.

Although Maitland's teaching thus ran counter to some of the views held by Maurer and the Germanists on the one hand, Maine and the comparative jurists on the other, he was in no way at one with the exaggerated reaction produced by these views. Neither wholesale Romanism, with the derivation of the manor from the Roman villa, nor the device of treating Old English society as a ring of slaveholders gradually losing their grasp over their dependents was to his taste. He refused to consider the Saxon conquest as achieved by a handful of chieftains without followers,¹³ and declared emphatically in favour of the prevalence of Germanic tradition in Old English development.¹⁴ As for the free elements of the population and the rise of the manorial system, his treatment of the problem reckoned materially with the heterogeneous character of Old English society and the degradation of an originally free class.

It is not my object in the present instance to enter into any discussion of Maitland's views on subjects which have called forth protracted literary controversies. I have had occasion to state that I dissent from some of his doctrines on these points. Others may urge objections on their side. But no one can deny, I think, that the sharpness of Maitland's criticism, his high standard of evidence, the thoroughness of his methods of investigation have done more to clear up the difficult problems in question than most dutiful repetitions of time-honoured theories. Whatever may be the ultimate outcome of the controversy, neither the doctrine of early collectivism nor that of tribal development, nor that of gradual emancipation can afford to disregard the exact study of documents and the close reasoning brought to bear on the problems by the late Downing professor. And although the comparative method has certainly not been exploded by his distrust for its applications, those who have to make use of it may do worse than take a warning from his protest against the sliding analogies and sweeping generalisations which are least permissible to a school which claims to do its work on scientific principles.

A touch of good-humoured sarcasm was perhaps more appropriate to Maitland's countenance than other expressions. Some of his most striking appreciations of persons and institutions savour of a rather irreverent frame of mind. But he would go far wrong who supposed, on the strength of sceptical and sarcastic passages, that the sharp glance of the great scholar was apt to

¹³ *Domesday Book and Beyond*, p. 232.

¹⁴ *Ibid.* 222 ff.

discover nothing but the seamy, the incongruous aspect of things. Maitland had gifts of devotion and enthusiasm which acted as a powerful set-off to his Mephistophelian faculties. No one of the dissonances of history escaped his ear, but he did not fail either to catch the strange harmony of the concert. The grand way in which he clung to study and mastered knowledge enabled him to realise fully the majesty of history as a whole. Two favourite passages close the general introduction to the *Study of the Year Books*. They were not composed but treasured by him, and they are indeed an honour both to those who wrote them and to the one who took them up as noble *dicta*. One is of Justice Holmes, the other of Albert Sorel. I may be allowed to quote at least one of them.

When I think thus of the law I see a princess, mightier than she who once wrought at Bayeux, eternally weaving into her web dim figures of the ever lengthening past—figures too dim to be noticed by the idle, too symbolic to be interpreted except by her pupils, but to the discerning eye disclosing every painful step and every world-shaking contest by which mankind has worked and fought its way from savage isolation to organic social life.¹⁵

In every special case, in the treatment of any great doctrine, or institution, or epoch, Maitland has a manner of starting with disconcerting critical observations and of noticing at the outset contradictions and confusion, but then he feels his way, as it were, like a musician running his fingers over the keys in an improvised prelude, towards leading ideas and harmonious combinations. Read his chapters on such subjects as military tenure, or inheritance, or municipal institutions: the dry material becomes curiously attractive through the reflexion of a kind of organic process in the mind of the scholar creating order and sense in the midst of confusion.

Nor were the interests of this thinker solely directed to the study of impersonal evolution. The kindest and most generous of men in personal intercourse, he was keenly appreciative of any merit or achievement of those with whom he came in contact. He was always on the look-out for genuine research, and acknowledged his debts in regard to those from whom he had learnt with ungrudging warmth. The article in the *Quarterly Review*¹⁶ on Liebermann's *Anglo-Saxon Laws* must have brought the proudest reward to the Berlin editor for his masterly work, and many other scholars can look with gratification on sentences in Maitland's books which weigh more than undiscerning praise. I was often struck by the fact that a man of so critical a mind was often almost too apt to admire books which he had just finished reading. He

¹⁵ *Year Books*, vol. i. (Selden Soc. xvii.), p. xx.

¹⁶ Vol. cc. pp. 139-157, July 1904.

recovered soon enough from some of his *engouements*, if I may be allowed to use the untranslatable French expression; but they showed, as it seems to me, that his artistic nature was apt to take for a time the strain of a fine performance, and that critical dissent came almost as an afterthought. Criticism was not less effective for that, but it was never spoiled by the niggardly obtuseness which seeks not to estimate but to harm.

— Maitland's learning was anything but insular. He followed with keen interest and unfailing judgment the main currents of legal and historical literature on the continent. In regard to some of his best known theories there may be traced the influence of suggestions received from fellow-workers' writings. We have to note, for instance, how his views as to corporations were influenced by Gierke; in what a remarkable way he developed for England Keutgen's¹⁷ garrison explanation of the rise of boroughs; how he adopted and strengthened Ficker's¹⁸ and Heusler's¹⁹ teaching on early kingship. Thus, although not addicted to comparative legal history in the general sense of the word, he fully realised the importance of analogies for suggesting explanations and filling up gaps in the evidence.

It would be out of the question to state in a short notice, written under the impression of a recent death, what the principal achievements of such a life's work have been. Scholars of the twenty-first century will be in a better position to pronounce a verdict in this respect, as we are nowadays better able to speak of Selden and Blackstone than their own contemporaries. But some lines of appreciation are so clearly indicated even now that it seems natural to allude to them. It is no exaggeration to say that we have known and lost the greatest historian of the law of England, one who not only surpassed all predecessors in this domain but is not likely to be surpassed soon in the course of succeeding generations. As the principal contributor to the monumental *History of English Law*, as the editor of Bracton's *Note Book* and the *Year Books of Edward II*, as the writer of innumerable and invaluable articles for learned periodicals, Maitland has practically remodelled our knowledge of English law at the most important period of its existence. To realise his achievement in this respect one need only think of the standard books of the pre-Maitlandian age—the uncritical, scanty compilation of Reeves and Finlason, the brilliant but all too brief sketch of O. W. Holmes, the fragmentary and ill-balanced attempts of Palgrave and Sir J. Stephen. What we have now is the production of a writer steeped in the original lore of medieval common law. Bracton and Martin of Pateshull

¹⁷ *Untersuchungen über den Ursprung der deutschen Stadtverfassung.*

¹⁸ *Untersuchungen zur germanischen Rechtsgeschichte.*

¹⁹ *Institutionen des deutschen Privatrechts.*

would certainly not have rejected him as a colleague, and, on the other hand, he stands hand in hand with the leading representatives of European learning at the eventful turn from the nineteenth century to the twentieth.

His intimate knowledge of the thirteenth-century world brought him much nearer to the life of the middle ages than any one else can pretend to be, and we cannot wonder that the great lawyer reveals himself as a great historian. In *Domesday Book and Beyond* he took up a task which led him to examine some of the most complicated and contested problems of social history, and here again his trained and piercing eye did not fail not only to discover new facts, but to co-ordinate them in an unexpected manner. I cannot help thinking that one of the limitations inherent in human work is noticeable in the natural bent of a mind exercised on common-law problems to explain earlier periods mainly in the light of a conflict between individualistic rights and forces. And the standards of criticism and evidence are perhaps too stringent for the case of primitive institutions and the confused fermentation of nationalities in the making. But I need not dwell on disputed points. Even what has been said in these few pages may be sufficient to recall to the memory of European scholars that we have to mourn a real leader of thought. Lawyers, historians, and sociologists are equally indebted to him—lawyers because of his subject, historians because of his methods, sociologists because of his results.

P. VINOGRADOFF.

Notes and Documents.

A Plea Roll of Richard I.

FOUR rolls of the king's court *temp.* Richard I have been published by the Pipe Roll Society. Three of them, in vol. xiv. (1891), enjoyed the great advantage of an introduction written by the late Professor Maitland; the fourth, in vol. xxiv. (1900), was issued without introduction or assignation of date. In a valuable list of the known rolls believed to belong to Richard's reign, which will be found in Mr. Maitland's introduction, this fourth roll is entered as 'no. 5, a roll of five membranes for a Hilary term' (p. xv). So far as I know, its date has not yet been determined.

A clue is soon found in the fact that Theobald Walter appears as in possession of Amounderness. As he obtained it by a royal charter of 22 May 1194, the roll must be of later date; and as it is of Hilary term it cannot be earlier than 1195. On the other hand it records a plea between Theobald and the abbot of Séez concerning the advowson of the churches of Poulton and of Preston-in-Amounderness (pp. 228, 239); and this dispute, we know, was settled by a fine of 10 May 1196.¹ It follows, therefore, that the roll must belong to the Hilary term of 1195 or to that of 1196. Further examination shows clearly that the year is 1196.² A plea concerning fifty acres in Mersea Island (pp. 215, 243) was settled by a fine of 26 May 1196. Again, a fine of the same date settles a very interesting dispute between the prior of Leighton (Buzzard) and William of Leighton, clerk, concerning agricultural services, which is referred to on p. 217. Reference to vol. xiv. (p. 38) shows that this dispute had previously come before the court in Trinity Term 1194.³ Three ploughing services and three 'bed-ripes' were in dispute. It is important to note that Leighton was a royal manor which had been given by Henry II to the nuns of

¹ Pipe Roll Society, xvii. 125.

² This result was independently arrived at by Major Poynton. See *ante*, vol. xvii. 283, 1902.—Ed. *E.H.R.*]

³ This date was determined by Professor Maitland.

Fontevrault (represented by the prior). At the hearing in 1194 twelve men had attended as representing 'the soke of Leighton,' and had defined by way of inquisition the exact nature of the services that William, 'like the other sokemen of that manor,' owed; William replied that he and his predecessors had held the land freely (*liberam*) from the king, and that, as some of the twelve jurors were customary tenants of the nuns, he would not accept their verdict as to his free tenement (*libero tenemento*). He asked for an inquisition by lawful men of Houghton and Leighton. The fine of 26 May 1196 settles the dispute by commuting the three ploughings and one of the 'bedripes' ⁴ for two shillings a year, while reserving to the nuns the right to the two 'bedripes' *cum cibo*, one with all his men and the other with a single one.

Concurrently with this plea we have another on my roll (pp. 216-7, 224) between the same prior and five of his tenants at Leighton concerning the agricultural services due from them, ⁵ which, he alleged, they and their predecessors had performed for 33 years (i.e. from 1163). ⁶ The tenants claimed a sworn inquisition by the three (ancient demesne) villis of Luton, Houghton, and Leighton, 'of which the customs and the services are the same as theirs, [and] two of which were always wont to judge the third if any dispute arose amongst them.' The prior claimed that only men of the same tenure at Leighton itself should decide the question; then comes the interesting statement that inquisition had been made *per xiiii homines de eadem socca apud Bedeford coram iusticiis Domini regis itinerantibus, scilicet coram Simone de Pateshull et Henrico de Castelon et Ogero filio Ogeri et sociis eorum*. Here we have a striking confirmation of Professor Maitland's theory that his roll 'no. 4' was that of a Beds and Bucks eyre held by these very judges in the autumn of 1195, ⁷ and I think we may recognise the actual plea in that *Loquela de hominibus prioris de Lecton*, which it mentions, ⁸ and as to which a day *in banco* was assigned to the prior and his men. That trial *in banco* is that, I think, which is recorded on my roll of Hilary term 1196 (pp. 216-7).

Collation with the extant fines further confirms the date. For instance, a Dalling suit (p. 229) was settled by a fine of 31 March 1196, a plea concerning Stratton Church (p. 233) by one of 3 July 1196; a *concordia* concerning 'Chekelee' Church (p. 234) is confirmed by a fine of 4 April 1196; another *concordia*, for which the

⁴ 'Una Bidripa que dicitur Hing' Bidripe.' This was evidently the 'hunger-bedripe' (to give it the right name) which the twelve jurors had defined as 'I Bedripam cum I homine suo *sine cibo*.'

⁵ The dispute turned chiefly on whether these services should be *ad cibum* or not.

⁶ The nuns had held the manor since Easter 1164 (Pipe Roll, 10 Hen. II).

⁷ Vol. xiv. pp. xxix-xxx.

⁸ *Ibid.* p. 136.

consideration was twelve marcs (p. 241), is ratified by a fine of exceptional length, dated 9 May 1196. This fine is remarkable for its minute description of lands—160 acres of arable, which (be it noted), though in demesne, lay scattered about the two open fields, eighty in one and eighty in the other, together with twelve virgates in villenage, &c. Another long fine settles as early as 4 February (1196) the dispute concerning the churches of Harting and Rogate, Sussex (pp. 218, 248).

J. H. ROUND.

Robert de Avesbury

SIR EDWARD MAUNDE THOMPSON, in the preface to his edition of the *De Gestis Mirabilibus Regis Edwardi Tertii* of Robert de Avesbury, writes that 'we unfortunately know nothing more [of Avesbury] than can be gathered from the title of this work, wherein he describes himself as registrar of the court of the archbishop of Canterbury.' But his will is extant in the court of Husting, where it was enrolled on 10 February 1359. Since it does not appear to have been identified with the historian, it may be worth giving Dr. Sharpe's abstract (*Calendar*, ii. 7) in full:

AVEBURY, ROBERT DE, clerk, Registrar of the Court of Canterbury—To be buried in Pardon Churchyard of S. Paul's Church near the tomb of Millicent his wife. To John his son he leaves his tenement in Ivy Lane in the parish of S. Faith in the Crypt in tail; remainder to William his son in tail; remainder to Johanna his daughter in fee. Dated London, 27 January, A.D. 1358.

CHARLES LETHBRIDGE KINGSFORD.

The Twelve Conclusions of the Lollards.

THE Twelve Conclusions of the Lollards are always, so far as I can ascertain, quoted in the Latin version of them given in the *Fasciculi Zizaniorum*.¹ The English version contained in Foxe² is really no exception, for it is a translation, or, as we shall see, more correctly a retranslation into Elizabethan English of the Latin version of the *Fasciculi*. The general impression also seems to be that they were written in Latin, and Jeremy Collier,³ who is followed in this statement by Forshall,⁴ goes so far as to state expressly that they were presented to Parliament in that language. Evidence

¹ Pp. 360–369, Rolls Series, 1858.

² *Acts and Monuments*, ed. Pratt, 1877, iii. p. 203.

³ *An Ecclesiastical History of Great Britain, &c.* (London, 1708), vol. i. book vi. p. 598.

⁴ *Remonstrance against Romish Corruptions in the Church, etc.*, 1851, p. ix.

has however recently come to light which makes it practically certain that the Conclusions were presented in English, a language particularly appropriate in the mouths of the champions of the English church and nation against their 'stepmother, the great church of Rome.'

The evidence is contained in a manuscript of Roger Dymok's 'Against the XII Heresies of the Lollards' now in the library of Trinity Hall, Cambridge. The manuscript came to the college through Robert Hare (c. 1600) after it had been for a time in the possession of Anthony Roper, Margaret Roper's son and Sir Thomas More's grandson. This manuscript bears on its edges the arms of Richard II of England and on its first page a portrait of that monarch as well as his arms. These considerations taken with the language used in the text itself (*Gloriosissimo et metuendo principi ac domino nostro, domino Ricardo, dei gratia regi Anglie et Francie* etc.) and the general appearance of the volume place it, I think, beyond doubt that we have in this copy, the copy presented to Richard II soon after his return from Ireland to punish those who had dared to gainsay his authority and that of the church by laying their views before parliament. The date of the manuscript can therefore be fixed within narrow limits; it cannot be earlier than 1396 or later than 1397, for by that time Richard had his hands too full of other things to spare time and attention to the Lollards and their misdoings. A date early in this period, as near, that is to say, as possible to the date of the presentation of the Conclusions, is the most probable date for the presentation of this reply. The evidence, therefore, contained in Dymok is contemporary evidence.

The Twelve Conclusions with the preamble (a portion of the document hitherto, I believe, unknown) and the last paragraph, the *pretensa legacio*, are not given in Dymok's book consecutively but are scattered up and down its 315 pages, each at the head of that portion of the treatise in which Dymok refutes it. In each case they are given in two languages, in English first and then in Latin, and these fourteen scraps of English are all or nearly all the English words contained in the book. The verbal differences between this Latin text and the version given in the *Fasciculi* are considerable—one might almost say that they occur whenever any difference is possible, but in sense there is a practical agreement between the two Latin versions and the English text. The position assigned to the English and the existence of two independent Latin versions would justify the opinion that the English ought to be regarded as the original. What, moreover, is the English doing at all in such a treatise, unless Dymok felt obliged to give the *ipsissima verba* of the heretics? This opinion is supported by several other considerations. An

examination of such portions of Dymok's treatise as concern this matter shows that the Latin is frequently introduced by words which imply translation, and never by words which imply the contrary. It is, I should think, for instance, impossible to regard *vulgariter*, in line 8 of the first extract, as anything but the equivalent to *in nostro vulgari* of line 4 of the *legacio*. Such Latin words as occur in the English can be accounted for as quotations from the Bible or as technical terms, but the English words in Conclusions VIII, IX, X, and XII,⁵ in the version in the *Fasciculi*, would accord well with an English original. Further, if one remembers that the English has been copied at least twice, once by Dymok from the copy of the Twelve Conclusions which was given to him, and once by the scribe who prepared the presentation copy for Richard II, and that both Latin versions must have had some transcriptional history, it is easy to account for the Latin versions from the English, which shows on the other hand no signs of dependence on the Latin and indeed few signs of being anything but original. Dymok, it seems to me, had before him a copy of the Twelve Conclusions in English, either the copy actually presented to parliament, or the one affixed to St. Paul's, or some other copy issued by the Lollards, or, again, some copy made from one of these. This he translated for his readers. An independent translation, not necessarily from the same original, was made, perhaps for legal action, by some one else—a poorer Latinist and more illiterate man—which translation figures in the *Fasciculi* but not without some curious blunders.⁶ This view at all events accounts for all the facts and, I think, does violence to none.

It remains to explain Collier's explicit statement that the Conclusions were presented to parliament in Latin. His words are: 'They let the Parliament know, they had been very brief in this Remonstrance; and that they had a great deal more Matter in other Treatises written in English (*in nostro proprio langagio*); for we are to take notice that this Petition was drawn up in Latin;' and he refers to Spelman,⁷ where the *pretensa legacio* is given in the Latin text of the *Fasciculi* from the Cottonian manuscript Cleopatra E. 2 cited by Shirley.⁸ Collier is writing some three centuries after the event—Forshall is even later—and I more than suspect that his only authority for his statement consists in the words of

⁵ 'Sorys' in Conclusion V is difficult to explain.

⁶ 'Indignitate' in Conclusion XI should be 'in dignitate.' What however about 'cervorum alborum' (Dymok and the *Fasciculi*, Conclusion II)? An allusion to Richard II's ordinary badge, the white hart, is evidently intended. The English however reads 'whyte hartys,' and as the badge itself is symbolical, this may allude also to 'white [i.e. clean] hearts,' which the spelling and the sense would justify.

⁷ *Concil.* vol. ii. pp. 646 *seqq.*

⁸ The text of the *Conclusions* is also given in Wilkins, *Concil. Magnae Brit.* iii. 221, and in Lewis, *Life and Sufferings of John Wiclif* (Oxford, 1820), pp. 337-43, in a form practically identical with that of the *Fasciculi*.

the *legacio* as given by Spelman, and that he has misunderstood them. The words in question are as follows: *Et quamvis istae materiae sint hic breviter notatae, sunt tamen largiter declaratae in alio libro, et multae aliae plures totaliter in nostro proprio langagio*, etc. So long as the Conclusions were known only in the Latin, it was natural enough to lay stress on the words *in nostro proprio langagio* on which Collier lays stress, and to infer the use of the Latin language for the Conclusions; but this is not the necessary interpretation. The Latin of the *legacio*, even as given by Spelman, would suit a reference to a book in English from a document in English at least as well as a reference from a document in Latin; and both here and even more clearly in the Latin of Dymok and his English (*and þou þese materis ben here schortly knit, þei ben in a nother book longli declarid, and manie other emo al in oure langage* etc.: *et quamvis iste materie fuerint hic succincte connexe, in alio tamen libro satis diffuse declarantur ex integro in nostro vulgari* etc.) the distinction seems to me to be drawn between brevity and fulness, and not between Latin and English, while the words *ex integro in nostro vulgari* of Dymok's Latin rather imply to my mind the vulgar tongue also for the language of the Conclusions.

In the text of the Conclusions which is here given I have followed the text and spelling, though not the punctuation, of the manuscript in the library of Trinity Hall. I have, however, for the sake of clearness substituted the *þ* for the *y*, if indeed that is in reality a departure from my original. Two other copies of the manuscript exist: one (C.), which was once the property of the bishops of Ely, is in the University Library of Cambridge; the other (P.), which once belonged to William Bowyer, is in the Bibliothèque Nationale at Paris.⁹ Both these manuscripts are later than the Trinity Hall manuscript, and, I think, inferior. I have given their readings where they differ from it.

H. S. CRONIN.

THE TWELVE CONCLUSIONS OF THE LOLLARDS.

Ex quibus in posterum declarandis patebit quam falsus et perniciosus sit predictus libellus famosus adversariorum catholice veritatis, quem pestifere per hunc modum vulgariter inchoarunt. Pol. 11 b.

Pretensus stilius lollardorum. We pore men tresoreris of Cryst and¹ his apostlis denuncyn to þe² lordis and þe comunys of þe parlement certeyn conclusionis and treuthis for þe reformaciun of holi chiroche of Yngelond, þe gwyche³ han ben blynde and leprouse many zere be meyntenaunce of þe proude prelacye, born up with flatringe of priuat religion þe qwich⁴ is multiplied to a gret charge and onerous⁵ puple her in Yngelonde.

¹ I have not been able to verify the readings of this manuscript.

² C. adds *of*. ³ The Paris MS. has the *þ* as a rule, the other MSS. have the *y*.

⁴ *wyche*, P.

⁵ *wich*, P.

⁶ *onerous* to, C.

Quod in Latinum translatum eloquium hanc sonat sententiam. Nos pauperes homines thesaurarii siue thesaurus Christi et apostolorum eius denunciamus uobis dominis et communibus presentis parliamenti certas conclusiones et ueritates pro reformatione ecclesie Anglicane, que ceca extitit et leprosa annis plurimis per manuten[en]ciam superbe prelacie supportate adulacionibus priuatarum religionum siue priuate religionis multiplicata ad magnum onus, et est effectus populus onerosus⁶ in Anglia.

Fol. 18 b.

Primam conclusionem suam introducunt sub hac forma. Qwan pe chirche of Yngelond began to dote in temporalte aftir her stepmodir pe grete chirche of Rome, and chirchis were slayne be appropriacion to diuerse placys; feyth, hope, and charite begunne for to fle out of oure chirche. For pride with his sori genealogie of dedly synnes chalingith it be tittle of heritage. pis conclusiun is general and prouid be experience, custum, and manere, as þu schalt herin aftir.

Que conclusio hanc continet sentenciam. Quando ecclesia Anglicana incepit delirare in possessione temporalium secundum nouercam suam magnam Romanam ecclesiam et ecclesie mortificate erant siue occise per appropriacionem diuersis locis, fides spes et caritas ceperunt fugere extra ecclesiam nostram. Quia superbia cum sua prole peruersa peccatorum mortalium uendicabat⁷ ecclesiam nostram titulo hereditario. Ista conclusio est generalis et probata, ut dicunt, ex consuetudine experientia et more, ut audies in sequentibus.

Fol. 26 a.

Pe secunde conclusion is pis. Oure usuel presthod pe⁸ qwich began in Rome feynid of a power heyre pan aungelis is nout pe presthod pe qwich Cryst ordeynede to his apostlis. Pis conclusion is prouid. For pe presthod of Rome is mad with signis, rytis, and bisschopis blissingis, and þat is of litil uertu, nowhere ensample⁹ in holi scripture, for pe bischopis ordinalis in pe newe testament ben litil of record. And we can nout se þat pe Holi Gost for oni sich signis 3euith oni 3iftis, for he and his noble 3iftis may not stonde with dedly synne in no manere persone. Pe correlary of pis conclusion is¹⁰ þat it is ful uncouth to many þat ben wise to se bisschopis pleye with pe Holi Gost in mak yng of here ordris, for þei 3euen¹¹ crownis in characteris in stede of whyte hartys, and þat is pe leueree of antecryst, brout into holy¹² chirche to colour ydilnesse.

Latine autem sic dicitur. Hec est secunda conclusio. Sacerdocium nostrum usuale que incepit in ciuitate Romana ficta alcioris potestatis potestate angelica non est sacerdocium a Christo suis discipulis ordinatum. Hec conclusio probatur sic. Sacerdocium Romanum factum cum signis et ritibus ac episcoporum benedictionibus est parue uirtutis, nullibi in sacra scriptura exemplatum, quia ordinalia siue rubrice episcoporum parue sunt fidei uel auctoritatis in nouo testamento et nescimus uidere quod spiritus sanctus dat dona sua propter aliqua talia signa, quia ipse et nobilia dona sua stare non possunt cum peccato mortali in aliqua una persona. Correlaria huius conclusionis est, quod ualde extraneum

⁶ honerosus, P.⁷ uendicabant, C.⁸ wych, P.⁹ ensamplede, C.¹⁰ C. om. is.¹¹ gif, C.¹² brout in ooly, P.

et ¹³ nouum est pluribus sapientibus hominibus uidere episcopos ludere cum sancto spiritu in suorum ordinum collacione quia conferunt coronas in caracteribus ¹⁴ loco ceruorum alborum et illa est liberata antichristi siue eius signum in sanctam ecclesiam introductum ad ocium palliandum.

Pe thirddē conclusiun sorwful to here is pat pe lawe of continence Fol. 36 a. annexyd ¹⁵ to presthod pat in preiudys of wimmen was first ordeynid induciþ sodomie in al holy chirche; but we excusin us be pe bible for pe suspecte decre pat seyþ we schulde not nemen it. Resun and experience prouit pis conclusiun. For delicious metis and drinkis of men of holi chirche welen han ¹⁶ nedful purgaciun ¹⁷ or werse. Experience for pe priue assay of syche men is, pat pe like non wymmen; and whan þu prouist sich a man mark him wel for he is on of þo. Pe correlary of pis conclusiun is, pat pe priuat religions begynneris of pis synne were most worthi to beþ anullid but God for ¹⁸ his myþ of priue synne sende opyn ueniaunce.

Que conclusio hanc continet sentenciam. Tercia conclusio dolorosa auditu est ista. Lex continencie sacerdocio annexa que in preiudicium feminarum fuit primitus introducta inducit sodomiam in universalem sanctam ecclesiam. Set per bibliam excusamus nos propter suspectum decretum que dicit quod non deberemus nominare illud peccatum. Racio et experientia hanc probant conclusionem, quia deliciosi cibi et potus ecclesiasticorum requirit necessariam purgacionem naturalem uel peiorem. Experientia occulte probacionis talium est quod non habent delectacionem in mulieribus, et ideo cum talem repperis ¹⁹ nota cum bene, quia ipse est unus ex illis. Correlaria huius conclusionis est, quod dignum ualde esset priuatas religiones adnullare ²⁰ huius peccati inceptores. Set Deus ex sua magna potestate de peccatis privatis manifestamumat uindictam.

Pe ferthe conclusiun pat most harmith pe innocent puple is pis, pat pe Fol. 44 b. feynid miracle of pe sacrament of bred induciþ alle men but a fewe to ydolatrie, for þei wene pat Godis bodi pat neuere schal out of heuene be uertu of pe prestis wordis schulde ²¹ ben closid essentiali in a litil bred, pat þei schewe to pe puple. But wolde God pat ²² þei wolde beleue pat pe doctour euangelicus seyþ in his Trialoge, *quod panis materialis* ²³ est *habitudinaliter corpus Christi*. ²⁴ For we suppose pat on pis wise may euery ²⁵ trewe man and womman in Godis lawe make pe sacrament of pe ²⁶ bred with outin oni sich miracle. Pe correlari of pis conclusiun is pat if Crystis body be dewid with euerelasting joye, pe seruise of Corpus Christi imad be frere Thomas is vntrewe and peyntid ful of false miracilis, and pat is no wondir, for frere Thomas pat same time, holding with pe pope, wolde haue mad a miracle of an henne ey, ²⁷ and we knowe wel pat euery ²⁸ lesyng opinli prechid turnith him to velanye pat euere was trewe and with oute defaute.

¹³ sive, C.

¹⁶ have, P.

¹⁹ C. om. ideo.

²² C. om. þat.

²⁵ ever, C.

²⁸ euer, C.

¹¹ P. ins. in.

¹⁷ C. adds of kynd.

²⁰ C. om. adnullare

²³ altaris, C.

²⁶ þis, C.

¹⁵ enered, C.

¹⁸ of, C.

²¹ C. om. schulde.

²⁴ Trial. iv. 7-10.

²⁷ egge, C.

Que sic dicitur Latine. Quarta conclusio que plus dampnificat populum innocentem est, quod fictum miraculum sacramenti panis inducit omnes homines, paucis exceptis, ad ydolatriam. Quia ipsi estimant quod corpus Dei quod nunquam exibat celum uirtute uerborum sacerdotis²⁹ includeretur³⁰ in exiguo pane, quem ipsi populo ostendunt. Set utinam uellent credere quod doctor euangelicus dicit in suo triologio, quod panis materialis³¹ est habitualiter corpus Christi. Quia supponimus quod isto modo³² potest quilibet fidelis uir et femina in lege diuina conficere sacramentum istius³³ panis sine aliquo³⁴ tali miraculo. Correllarium huius conclusionis est, quod si corpus Christi sit dotatum gloria eterna, officium corporis Christi compositum per fratrem Thomam est non uerum et depictum multis³⁵ falsis miraculis. Et hoc non est mirum quia frater Thomas, illo³⁶ tempore tenens cum papa, uoluit fecisse miraculum de ouo galline, et bene nouimus quod quodlibet mendacium aperte predicatum cedit illi in uerecundiam et iniuriam qui semper est fidelis et sine defectu.

Fol. 68 b.

De fyfte conclusiun is pis, pat exorcismis and halwinge, made in pe chirche, of wyn, bred, and wax, water, salt, and³⁷ oyle and encens, pe ston of pe auter, upon uestiment, mitre, crose, and pilgrimes stauis be pe uerray practyf of nigromancie rathere panne of pe holi theologie. Pis conclusiun is prouid pus. For be siche exorcismis creaturis been chargid to ben of heyzere uertu pan here owne kynde, and we sen no ping of chaunge in no sich creature pat is so charmid but be fals beleue, pe whiche is pe principal of pe deuelis craft. Pe correlary of pis, pat if pe bok pat charmith haliwater spred in holy chirche³⁸ were al trewe us thinkis uerrily pat holy water usid in holi chirche schulde ben pe beste medicine to alle manere of sykenesse. *Cuius contrarium experimur.*

*Quod in Latinum translatum hanc continet falsitatem. Quinta conclusio est hec. Exorcismi, sanctificationes, consecraciones, siue benedictiones facte in ecclesia sancta uini,³⁹ panis, aque, olei, salis, cere, incensi siue thuris, mense altaris, murorum ecclesie, uestimentorum, mitre, baculi pastoralis, baculorum peregrinorum et huiusmodi uera practica sunt nigromancie potius quam sancte theologie. Hec conclusio sic probatur. Per tales exorcismos et⁴⁰ consecraciones creature sunt onerate esse alcioris uirtutis quam sunt ex natura propria, et nichil mutacionis uidemus in huiusmodi⁴¹ creaturis exorsizatis uel consecratis, nisi per falsam fidem que est principale in omni arte diabolica.⁴² Correllarium. Si liber qui exorsizat aquam benedictam spersam⁴³ in ecclesiam Dei esset totus uerus, nobis uidetur ueraciter quod aqua benedicta in sancta ecclesia usitata esset optima⁴⁴ medicina contra omnem infirmitatem.⁴⁵ *Cuius contrarium experimur.**

Fol. 72 b.

De sexte conclusiun pat mayntenith michil pride is, pat a kyng and a bisschop al in o persone, a prelat and a iustise in temporel cause,

²⁹ C. adds *sit*.³² P. om. *modo*.³³ *plenum*, C.³⁶ C. om. *in holy chirche*.⁴¹ *huius*, P.⁴⁴ *optima esset*, C.³⁰ C. om. *includeretur*.³³ C. om. *istius*.³⁶ P. pref. *in (?)*.³⁹ C. adds *et*.⁴² *dialectica*, C.⁴⁵ C. om. *contra omnem infirmitatem*.³¹ *altaris*, C.³² P. om. *aliquo*.³⁷ C. om. *and*.³⁸ C. om. *et*.⁴³ *aspersam*, C.

a curat and an officer in worldly seruise,⁴⁶ makin euery⁴⁷ reme out of god reule. Pis conclusiun is opynly schewid, for temporelte and spirituelle ben to partys of⁴⁸ holi chirche and perfore he pat hath takin him to pe ton schulde nout medlin⁴⁹ him with pe topir, *quia nemo potest duobus dominis seruire*.⁵⁰ Us thinkith pat hermodfodrita or ambidexter were a god name to sich manere of men of duple astate. Pe correlari is, pat for⁵¹ we procuratouris of God in pis cause pursue to pis parlement pat alle manere of curatis bope heyte and lowe ben fulli excusid of temporel office, and occupie hem with⁵² here cure and nout ellis.

Que conclusio Latine sic exprimitur. Sexta conclusio que sustentat multam superbiam est quod rex et pontifex in eadem persona, prelatus et iudex temporalis cause, curatus et officarius in seruicio mundiali, quodlibet regnum reddit sine regula debita uel conuenienti regimine. Hec conclusio probatur sic. Potestas temporalis et spiritualis sunt due partes totius sancte ecclesie, et ideo qui se uni eorum deputauit non deberet se interponere cum altero, quia nemo potest duobus dominis seruire. Nobis uidetur quod hermodfodrita uel ambidexter esset conueniens nomen talibus hominibus dupplicis status. Correlarium. Nos procuratores Dei in ista causa instamus et⁵³ prosequimur ac petimus in isto parlamento quod omnes modi curatorum tam alti quam bassi sint plene excusati ab omni officio temporali et se occupent cum curis suis et de nullis aliis se⁵⁴ interponant.

Pe seuenthe conclusiun pat we mythtily afferme is, pat special preyeris^{Pol. 80 a.} for dede men soulis mad in oure chirche preferring on be name more pan anothir, pis is pe false ground of almesse dede, on pe qwiche alle almes houses of Ingelond ben wikkidly igroundid. Pis conclusiun is prouid be to skillis. On is, for preyere meritorie and of value schulde ben a werk proceeding of hey charite, and parfyth charite⁵⁵ accepte no persones, *quia diliges proximum tuum*, etc. Qwerfore us thinkis pat pe giftis of temporel godis to prestis and to almes housis, is principal cause of special preyeris, pe qwiche is nout fer from symonie. A nothir skil for special preyere mad for men dampnid to euerelasting peyne is to God gretli displesing,⁵⁶ and pow it be doute, it is lythli to trewe Crystis puple pat pe founderes of pe⁵⁷ almesse housis for here uenimous dotaciun ben for pe most part passid pe brode way. Pe correlari is pe preyere of ualue springand out of parfyth charite schulde enbrace in general alle po pat God wolde haue sauid and leue per⁵⁸ marchaundise now usid for special preyeris imade to mendyuauns and possessioneris and othere soulis prestis, pe qwiche ben a puple of gret charge to al pe reme mayntenid in ydilnesse, for it was prouid in a bok pat pe kyng herde pat an hundrid of almes housis suffisede to al pe reme and per of schulde⁵⁹ falle pe grettest encre possible to temporel part.

Que conclusio Latine hanc continet sententiam. Septima conclusio quam nos potenter affirmamus est, quod speciales oraciones facte in ecclesia nostra pro animabus defunctorum preferendo unum ex nomine

⁴⁶ C. om. in worldly seruise.⁴⁷ any, C.⁴⁸ C. ins. an.⁴⁹ mell, C.⁵⁰ P. adds etc.⁵¹ C. om. for, but adds pe after we.⁵² P. om. with.⁵³ ac, C.⁵⁴ P. om. se.⁵⁵ hey and parfit charite, C.⁵⁶ displesant, C.⁵⁷ C. om. pe.⁵⁸ C. om. per.⁵⁹ and ther schulde, C.

pocius quam alium est falsum fundamentum elemosine super quod omnes domus elemosinarum in Anglia male fundantur. Hec conclusio probatur duplici ratione. Primo quia oratio meritoria et ualoris deberet esse opus procedens ab⁶⁰ alta caritate et perfecta caritas non accipit personas, quia diliges proximum tuum⁶¹ etc. Quapropter nobis uidetur quod donacio⁶² bonorum temporalium collatorum sacerdotibus et domibus elemosinarum est causa principalis huiusmodi oracionum specialium, quod non distat multum a symonia. Quia speciales oraciones facte pro hominibus dampnatis ad penam eternam multum Deo displicent. Et quamuis dubium sit, tamen uerisimile est fideli populo quod fundatores domorum elemosinarum propter ipsorum venenosam dotacionem pro maiori parte transierunt uiam latam. Correlarium. Oratio ualoris procedens a perfecta caritate deberet⁶³ se extendere in generali ad omnes quos Deus uult finaliter⁶⁴ saluare et dimittere debent mercancias oracionum specialium⁶⁵ modo usitarum pro mortuis hominibus factas mendicantibus possessionatis et aliis presbiteris peculiaribus animarum, qui sunt populus⁶⁶ magni oneris et⁶⁷ toti regno manutentus in ocio, quia probatum extitit in quodam libro quem rex audiuit quod centum domus elemosinarum toti regno sufficerent, et ex hoc contingeret maximum possibile commodum parti temporali.

Fol. 90 a.

Pe viii. conclusiun nedful to telle to þe puple be gylid is þe pilgrimage, preyeris, and offringis made to blynde rodys and to deue ymages of tre and of ston,⁶⁸ ben ner of kin to ydolatrie and fer fro almesse dede. And þow þis forbodin ymagerie be a bok of errour to þe lewid puple, ȝet þe ymage usuel of⁶⁹ Trinite is most abhominable. Þis conclusiun God opinly schewith, comanding to don almesse dede to men þat ben nedy, for þei ben þe ymage of God in a more liknesse þan þe stok or þe⁷⁰ ston, for God seyth nout, *Faciamus lignum ad ymaginem et similitudinem nostram aut lapidem*,⁷¹ but *faciamus hominem* etc. For þe heye worchipe þat clerkis clepin *latria* longith to þe godhead alone, and þe lowere⁷² worchipe þat is clepid⁷³ *dulia* longith⁷⁴ to man and to aungel and to lowere creatures. Pe correlari is, þat þe seruise of þe rode,⁷⁵ don twyes euery ȝer in oure chirche, is fulfillid of ydolatrie, for if þe rode tre, naylis, and þe spere,⁷⁶ and þe coroune of God schulde ben so holiche worchupid, panne were Iudas lippis, qwoso mythte hem gete, a wondir gret relyk. But we preye þe, pilgrym, us⁷⁷ to telle qwan þu offrist to seyntis bonis enschrinid in ony place, qweþir⁷⁸ releuis þu þe seynt þat is in blisse, or þe pore almes hous þat is so wel enduwid. For men ben⁷⁹ canonizid, God wot how, and for⁸⁰ to speken more in playn, trewe Cristemen supposin þat þe poyntis of pilk noble⁸¹ man þat men clepin seynt Thomas, were no cause of martyrdom.

Que conclusio per hunc modum transfertur in Latinum eloquium.

⁶⁰ ex, C.⁶² debet, C.⁶⁶ populi, P.⁶⁸ C. ins. þe.⁷² low, C.⁷³ C. adds tre.⁷⁶ wheder, C.⁸¹ point of þat noble, C.⁶¹ C. om. tuum.⁶⁴ C. om. finaliter.⁶⁷ P. om. et.⁷⁰ C. om. þe.⁷³ þei clepen, C.⁷⁶ C. om. and þe.⁷⁹ C. om. ben.⁶² devocia, P.⁶³ spiritualium, C.⁶⁸ C. and P. add þat.⁷¹ C. om. aut lapidem.⁷⁴ pertenez, C.⁷⁷ P. om. us.⁸⁰ C. om. for.

Octava conclusio necessaria referri populo decepto. Peregrinationes, oraciones, et oblationes facte⁸² cecis ymaginibus crucifixi et surdis ymaginibus de ligno et lapide sunt propinque nature ydolatrie, et multum distant ab operibus caritatis siue elemosine. Et quamvis prohibite ymagine sint liber erroris populo laicali, adhuc ymago usualis sancte Trinitatis est maxime abhominabilis. Hanc conclusionem Deus aperte monstrauit, mandando opera misericordie fieri hominibus indigentibus, quia ipsi sunt ymago Dei in maiori similitudine quam lignum uel lapis. Quia Deus non dixit, faciamus lignum uel lapidem ad ymaginem et similitudinem nostram, set faciam[us]⁸³ etc. Quia altus honor latraria a clericis uocatus soli debetur deitati, et honor uocatus dulia debetur homini et⁸⁴ angelo⁸⁵ et aliis creaturis inferioribus. Correlarium. Officium de ligno crucis, bis in anno celebratum in nostra ecclesia, est plenum ydolatrie, quia si lignum crucis Christi, lancea, et clauis essent tanto honore uenerandi, tunc labia Iude proditoris essent solempnis reliquia⁸⁶ siquis posset illa optinere. Set nos rogamus te, peregrine, quando oblacionem facis ossibus sanctorum inscrintorum⁸⁷ in aliquo loco, utrum intendis releuare indigentiam sancti in celo, uel domus pauperis elemosine que ita bene dotatur. Quia Deus nouit quomodo homines⁸⁸ canonizantur. Et ut apercius loquamur, fideles Christiani supponunt, quod puncta propter que moriebatur nobilis homo⁸⁹ quem homines appellant sanctum Thomam non sunt causa martirii nec fuerunt.

Pe ix. conclusiun pat holdith pe puple lowe is, pat pe articlis of con- Fol. 104 a.
fessiun pat is sayd necessari to saluaciun of man, with a feynid power of absoluciun enhaunsith prestis pride, and 3euth hem oportunitie of priui calling othir pan we wele⁹⁰ now say. For lordis and ladys ben arestid < pat > for fere of here confessouris, pat pei dur nout seyn a treuthe, and in time of confessiun is pe beste time of wowing and of priue continuaunce of dedli synne. Pei seyn pat he⁹¹ ben commissariis of God to deme of euery synne, to foulun and to clensin qwom so pei lyke. Pei seyn pat he⁹² han 3e keys of heuene and of helle, pei mown cursyn and blissin, byndin and unbyndin at here owne wil, in so miche pat for a busschel of qwete⁹³ or xii.d. be 3ere he⁹⁴ welen selle pe blisse of heuene be chartre of clause of warantise, enselid with pe comown sel. Pis conclusiun is so seen in use pat it nedith non othir prof. Correlarium: pe pope of Rome pat feynith him hey tresor of holi chirche, hauande pe⁹⁵ worthi iewel⁹⁶ of Crystis passiun in his keping, with pe dissertis of alle halwen of heuene, be qwiche he 3euid pe feynid pardoun a pena et a culpa. He is a tresorer most banisschid out⁹⁷ charite, seyn he may deliueren pe presoneris pat ben in pyne at his owne wil, and make himself so pat he schal neuere come pere. Here may euery trewe Cristene man wel se pat per is michil⁹⁸ priuy falsnesse hid in our chirche.

Cuius translacio in Latinum sequitur in⁹⁹ hunc modum. Nona conclusio que deprimit populum est, quod articulus confessionis dictus necessarius

⁸² C. om. facte. ⁸³ C. om. ad ymaginem et similitudinem nostram set faciamus.

⁸⁴ vel, C.

⁸⁵ angelis, C.

⁸⁶ reliquie, C.

⁸⁷ incriminatorum, C.

⁸⁸ C. ins. quomodo.

⁸⁹ vir, C.

⁹⁰ wole, P.

⁹¹ 3ai, C.

⁹² 3ai, C.

⁹³ wet, P.

⁹⁴ 3ai, C.

⁹⁵ 3ai, C.

⁹⁶ rewel, C.

⁹⁷ C. adds of.

⁹⁸ mich, C.

⁹⁹ per, C.

hominum saluacioni cum potestate ficta uel pretensa absolucionis exaltat sacerdotum superbiam et dat eis¹⁰⁰ oportunitatem occulte uocationis alterius quam dicere uolumus in presenti. Quia domini et domine sunt arestati propter timorem suorum confessorum quod non audent dicere ueritatem. Et tempus confessionis est tempus ualde aptum procacioni et continuacionis peccatorum mortalium. Dicunt eciam se esse commissarios Dei ad iudicandum de quolibet peccato, ad deformandum et purgandum illos quos uolunt. Dicunt eciam¹⁰¹ se habere clauces celi et inferni,¹⁰² excommunicare possunt¹⁰³ benedicere, ligare et soluere secundum eorum propriam uoluntatem, in tantum quod propter bussellum¹⁰⁴ frumenti, uel xii. denarios annuatim ipsi uolunt uendere gloriam regni celestis cum clausa warentizacionis sigillata communi sigillo eorum. Hec conclusio est sic¹⁰⁵ uisa in usu,¹⁰⁶ quod alia non indiget probacione. Correlarium. Papa Romanus qui¹⁰⁷ fingit se altum thesaurarium tocus ecclesie habens illud dignum iocale passionis Christi in custodia cum meritis omnium sanctorum in celo,¹⁰⁸ per que dat fictam indulgentiam a poena et a culpa, est thesaurarius¹⁰⁹ maxime bannitus extra caritatem, ex quo potest liberare omnes prisonarios¹¹⁰ existentes in penis ad uoluntatem propriam et seipsum facere nunquam uenire ibidem. Set quilibet Christianus fidelis potest bene uidere quod est multa secreta falsitas abscondita in nostra ecclesia.

Fol. 118 b.

Pe tende conclusiun is,¹¹¹ pat manslaute be batayle or pretense¹¹² lawe of rythwysnesse for temporal cause or spirituel with outen special reuelaciun is expres contrarious to pe newe testament, pe qwicke¹¹³ is a lawe of grace and ful of mercy. Pis conclusiun is opynly prouid be exsample of Cristis preching here in erthe, pe qwicke¹¹⁴ most taute for to loue and to¹¹⁵ haue mercy on¹¹⁶ his enemys, and nout for to slen hem. Pe resun is of pis, pat for pe more partye pere men fythte aftir pe firste strok charite is ibroke: and qwo¹¹⁷ so deyth out of charite, goth pe heye waye to helle. And ouer pis we knowe wel pat no clerk can fynde¹¹⁸ be scripture or be resun lawful punschement of deth for on dedly synne and nout for a noper. But pe lawe of mercy, pat is pe newe testament, forbad al mannisslaute: in euangelio dictum est antiquis, Non occides. Pe correlary is. It is an¹¹⁹ holy robbing of pe pore puple qwanne¹²⁰ lordis purchase indulgencis¹²¹ a pena et a culpa to hem pat helpith to his oste, and gaderith to slen pe Cristene men¹²² in fer londis for god temporel,¹²³ as we have seen. And knyhtis, pat rennen to hethnesse to geten hem a name in sleinge of men, geten miche maugre of pe king of pes; for be mekenesse and suffraunce oure beleue was multiplied, and fythteres and mansleeris Ihesu Cryst hatith and manasit.¹²⁴ Qui gladio percutit, gladio peribit.

Que conclusio Latine ita exprimitur. Hec est decima conclusio.

¹⁰⁰ eius, P.¹⁰³ C. ins. et.¹⁰⁶ visu, P.¹⁰⁹ thesaurarius, C.¹¹² P. om. pretense.¹¹³ C. om. to.¹¹⁶ anfynde, P.¹²¹ indulgence, C.¹²³ temporel goode, C.¹⁰¹ C. om. eciam.¹⁰⁴ bursellum, C.¹⁰⁷ se fingit, C.¹¹⁰ prisinarios, C.¹¹⁴ wich, C., P.¹¹⁶ of, C.¹¹⁹ C. om. an.¹²² pat helpith to his ost to al pe criste men, C.¹²⁴ manasseth, C.¹⁰² C. ins. et.¹⁰³ C. om. sic.¹⁰⁸ celi, C.¹¹¹ P. om. is.¹¹⁴ wyche, C.¹¹⁷ who, C.¹²⁰ whan, C.

Homicidium per bellum uel per legem iusticie aliquam pretensam perpetratum propter causam temporalem uel spirituales sine speciali reuelacione expresse est contrarium nouo testamento, quod est lex gracie et plenum misericordie. Hec conclusio manifeste probatur exemplo Christi predicantis hic in terra, qui maxime docuit dimittere iniurias¹²⁵ et misereri aduersariorum et non occidere eos. Cuius ratio est. Pro maiori enim parte quando homines pugnant post primum ictum dirumpitur caritas; et quicumque caritate¹²⁶ in morte exiit transit recta uia ad infernum.¹²⁷ Et ultra hoc nos bene nouimus quod nullus clericus scit inuenire¹²⁸ per sacram scripturam uel legalem rationem ostendere quod pena mortis est infligenda potius uni peccato mortali quam alteri. Sed lex misericordie, que est nouum testamentum, prohibet omne homicidium. In euangelio dictum est antiquis, Non occides. Correlarium. Est sancta spoliatio pauperis populi quando domini procurant indulgencias a pena et a culpa hiis qui subsidia conferunt exercitui eorum collecto ad interficiendum Christianum populum in terris remotis propter bona temporalia optinenda, sicut¹²⁹ alias fieri uidimus. Et milites, qui discurrunt ad paganiam uel Saracenos ad optinendum sibi magnum nomen in occisione hominum, perquirunt¹³⁰ sibi indignacionem magnam regis pacis, quia per humilitatem et tolleranciam lex nostra extitit multiplicata, et pugnatore ac homicidas odit Christus Ihesus et eisdem minatur dicens, Qui gladio percutit, gladio peribit.

Pe xi. conclusiun is shamful¹³¹ for to speke, pat a¹³² uow of continence, mad in oure chirche of wommen, pe qwiche ben fekil and vnparfyt in kynde, is cause of br[i]ngging of most horrible synne possible to man kynde. For pou sleynge of children or pei ben cristenid, aborcife and¹³³ stroyng of kynde be medicine ben ful sinful, zet knowing with hem self or irresonable beste or creature pat beris no lyf passith in worthinesse to ben punischid in peynis of helle. Pe¹³⁴ correlary is pat widuis and qwiche¹³⁵ as. han takin pe mantil and pe ryng deliciousliche fed we would pei were weddid, for we can nout¹³⁶ excusin hem fro¹³⁷ priue synnis.

Conclusio undecima uerecunda dictu. Votum continencie factum in nostra ecclesia a mulieribus, que sunt fragiles et imperfecte in natura, est causa horribilissimi peccati possibilis nature humane quia quamuis occisio puerorum ante baptismum eorum procuracio abortii aut destructio seminum ante formatum fetum facta per medicinas sint¹³⁸ grauia peccata ualde. Adhuc coniunctio mutua feminarum contra naturam in actu carnali uel earum coitus cum bestia irrationali uel cum creatura insensibili non uiua transcendit in demeritoria accione et magis¹³⁹ dignum est puniri¹⁴⁰ inferni penis. Nos uellemus quod uidue et¹⁴¹ tales qui¹⁴² uouerunt castitatem in ueste,¹⁴³ anulo, et mantello, deliciose paste uel delicate nutrite, essent desponsate, quia eas nescimus excusare ab occultis peccatis.

¹²⁵ inimicis, C.¹²⁶ C. om. inuenire.¹³¹ sham, C.¹³⁴ pat, P.¹³⁷ of, C.¹⁴⁰ C. om. est puniri.¹⁴³ investite, C.¹²⁸ carite, P.¹²⁹ sicut, P.¹³² pe, C.¹³³ such, C., a wiche, P.¹³⁶ sunt, C.¹⁴¹ P. om. uidue et.¹²⁷ inferna, C.¹³⁰ acquirunt, C.¹³⁵ or, C.¹³⁸ ne can, C.¹³⁹ C. om. et magis.¹⁴² que, C.

Fol. 146 a.

Pe xii. conclusiun is pat, pe multitude of craftis nout nedful usid in our chirche norsschith¹⁴⁴ michil synne in wast, curiosite and diagysing. Pis schewith experience and resun prouith, for nature with a fewe craftis sufficiith to nede of man. Pe correlari is, pat sytthin seynt Powel seyth, we hauende oure bodili fode and hilling¹⁴⁵ we schulde holde us apayed, vs thinketh pat goldsmethis and armoreris and all manere craftis nout nedeful to man aftir pe apostle schulde ben distroyd for pe encres of uertu. For pou pese to¹⁴⁶ craftis nemlid¹⁴⁷ were michil¹⁴⁸ more nedful in pe elde lawe, pe newe testament hath voydid pese and manie othere.

Que in Latinum transfertur in hunc modum. Duodecima conclusio. Multitudo artium non necessariarum homini in nostra ecclesia multum peccatum nutrit in superflua curiositate et diffiguratione hominum per uestes curiosas. Hoc ostendit experientia et ratio probat, quia natura cum paucis artibus sufficeret humane nature. Correlarium. Ex quo apostolus Paulus dicit habentes uictum et quibus tegamur hiis contenti simus, nobis uidetur quod aurifabri et fabri armorum et¹⁴⁹ omnia genera artium non necessaria homini secundum apostolum destrui deberent propter augmentum uirtutum. Quia quamuis iste due artes nominate necessarie fuerunt in ueteri lege, nouum tamen testamentum has artes cum multis aliis euacuauit.

Fol. 153 a.

Pretensa legacia lollardorum.

Pis is oure ambaciat, pat Crist has comaundid us for to pursue, at pis time most acceptable for manie causis. And pou pese¹⁵⁰ materis ben here schortly knit, pei ben in a nother book longli declarid, and manie othere mo al in oure langage, pe qwyche we¹⁵¹ wolde were communid to alle trewe Cristene men. We preye God of his endeles godnesse reforme oure chirche al out of ioynt to pe perfectiun of pe firste begynni[n]gge. Amen.

Hec est inquit nostra ambaciata, quam nobis Christus nunc exequi mandauit,¹⁵² in hoc tempore maxime acceptabili multiplici ex causa. Et quamuis iste materie fuerint hic succincte connexe, in alio tamen¹⁵³ libro satis diffuse declarantur ex integro in nostro uulgari, quas uellemus quod essent communicate omnibus fidelibus Christianis. Nos rogamus Deum propter bonitatem suam infinitam ut reformare dignetur nostram ecclesiam penitus extra iuncturam ad perfeccionem sue primordialis institutionu. Amen.

The Last Venetian Islands in the Aegean.

It has hitherto been asserted by historians of the Latin Orient that, after the capture of the Cyclades by the Turks in the sixteenth century, the two Venetian islands of Tenos and Mykonos remained in the possession of the republic down to 1715. As to Tenos, this statement is unimpeachable; as to Mykonos, despite the assertions

¹⁴⁴ norsschyn, P.¹⁴⁵ cleying, C.¹⁴⁶ twey, C.¹⁴⁷ nemid, C.¹⁴⁸ mych, C.¹⁴⁹ P. om. et omnia genera artium non necessaria.¹⁵⁰ pese, P.¹⁵¹ C. om. we.¹⁵² precepit, C.¹⁵³ C. om. tamen.

of Hopf¹ and Hertzberg,² who quote no authorities for the fact, all the evidence goes to show that it ceased to belong to Venice in the sixteenth century.

The two islands, the only members of the Cyclades group under the direct rule of the Venetian government, were bequeathed to the republic by George III Ghisi, their ancestral lord, upon whose death in 1390 they passed into its hands. The islanders implored Venice not to dispose of them; and, though there were not failing applicants for them among the Venetian princelets of the Levant, she listened to the petition of the inhabitants. At first an official from Negroponte was sent as an annual governor; then, in 1407, Venetian nobles who would accept the governorship of Tenos and Mykonos, with which *Le Sdiles*, or Delos, was joined, for a term of four years, paying a certain sum out of the revenues to Venice and keeping the balance for themselves, were invited to send in their names. One of them was appointed, still under the authority of the bailie of Negroponte;³ and this system continued down to 1480, when a rector was sent out from Venice for two years, and the two islands were thenceforth governed directly by an official of the republic.

Mykonos remained united with Tenos under the flag of St. Mark till the first great raid of the Turkish fleet in the Cyclades under Khaireddin Barbarossa in 1537. Neither Andrea Morosini nor Paruta, nor yet Hajji Kalifeh, mentions its fate in their accounts of that fatal cruise; but Andrea Cornaro in his *Historia di Candia*⁴ relates that, after taking the two islands of Thermia and Zia, Barbarossa went to Mykonos, many of whose inhabitants escaped to Tenos, while the others became his captives. After the Turkish admiral's departure the fugitives returned; but in the same year one of Barbarossa's lieutenants, a corsair named Granvali, with eighteen ships, paid a second visit to Mykonos and carried off many of them. Accordingly the shameful treaty⁵ between Venice and the sultan, concluded in 1540, in both versions mentions Mykonos among the islands ceded to the sultan, while Tenos was expressly retained. How, in the face of this, Hopf can have asserted that Mykonos still remained Venetian it is difficult to understand. Nor is this all. In a document of 1545 the republic orders her ambassador at Constantinople to obtain the restoration of the island;⁶ in 1548 a certain Zuan Zorzo Muazzo, of Tenos, begs, and

¹ *Geschichte Griechenlands* in Ersch and Gruber's *Allgemeine Encyclopädie*, lxxvi. 170, 178, 177, and 179; *Geschichte der Insel Andros*, p. 128.

² *Geschichte Griechenlands*, iii. 26, 39, 190.

³ *Sáthas, Μνημεία Ἑλληνικῆς Ἱστορίας*, i. 14; ii. 145, 168, 168 178; iii. 1881. Predelli, *Commemoriali*, iii. 278, 354.

⁴ Library of St. Mark, Venice, MS. Ital. Cl. vi. 286, vol. ii. ff. 94, 95.

⁵ Predelli, *Commemoriali*, vi. 236, 238.

⁶ Lamansky, *Secrets de l'Etat de Venise*, p. 58.

receives, from the Venetian government another fief in compensation for that which he had lost in Mykonos.⁷ A petition from the inhabitants of Tenos to Venice in 1550 mentions the lack of ships 'at the present time when Mykonos has been lost.'^{7a} We have, too, the statement of Sauger,⁸ who becomes more trustworthy as he approaches his own time, that Duke Giovanni IV Crispo, of Naxos, bestowed the island of Mykonos (apparently in 1541) upon his daughter on her marriage with Giovanfrancesco Sommaripa, lord of Andros. There is nothing improbable in this. The Turks acquiesced at the same time in the action of the duke in turning the Premarini family out of their part of Zia, and bestowing that also upon his son-in-law; they may have had no objection to his dealing in the same manner with the devastated island of Mykonos. At any rate the latter was no longer Venetian. The long and elaborate reports⁹ of the Venetian commissioners, who visited Tenos in 1563 and 1584, make no mention whatever of Mykonos, except that in the latter document we hear of a Grimani as catholic bishop of Tenos and of the sister island; nor does Foscari allude to it in his report on Cerigo and Tenos in 1577. More conclusive still, while the style of the Venetian governor is 'rector of Tenos and Mykonos' down to 1593, from that date onwards the governor is officially described as 'rector of Tenos' alone.¹⁰ Hopf¹¹ is, therefore, wrong in giving us a long list of *rettori di Tinos e Mykonos* from 1407 to 1717. It seems probable that the latter island ceased to belong to Venice in 1537, but that the rector of Tenos continued to bear the name of Mykonos also, as a mere form, for rather more than half a century longer. Possibly it may have belonged to the Sommaripa of Andros from 1541 to 1566, when that dynasty was dethroned.

These conclusions are confirmed by the travellers and geographers who wrote about the Levant between that date and the loss of Tenos. Porcacchi,¹² in 1572, mentions Mykonos, without saying to whom it belonged. One of the Argyri, barons of Santorin, who, in 1581, gave Crusius the information about the Cyclades which he embodied in his *Turco-Graecia*,¹³ had nothing to say about Mykonos, except that it contained one castle and some hamlets, while he specially mentioned that Tenos and Cerigo were 'under Venice.' Botero,¹⁴ in 1605, giving a full list of the Venetian possessions in the Levant, includes the Ionian Islands and Tenos alone. Neither the French ambassador, Louis des Hayes,¹⁵ who visited

⁷ Sáthas, *op. cit.* viii. 451.

^{7a} *Ibid.* iv. 245.

⁸ *Histoire nouvelle des anciens Ducs de l'Archipel*, p. 296.

⁹ Lamanaky, *op. cit.* pp. 641-2, 651 *et seq.*; Sáthas, *op. cit.* iv. 310-40.

¹⁰ *M. C. Scrutinio alle voci*, vols. vii. and viii.

¹¹ *Chroniques gréco-romanes*, pp. 373-6.

¹² *L'Isola la più famosa del Mondo*, p. 77.

¹³ P. 206.

¹⁴ *Relazione della Rep. Venetiana*, pp. 18-9.

¹⁵ *Voyage de Levant*, pp. 348-9.

Greece in 1630, nor the sieur du Loir,¹⁶ who sailed with him, is more explicit, though both describe Crete, Cerigo, and Tenos as the sole Venetian islands in the Aegean. Thévenot,¹⁷ in 1656, and Boschini,¹⁸ ten years later, tell us that Mykonos was 'almost depopulated' because of corsairs, but are likewise silent as to its ownership. Baudrand, in his *Geographia*,¹⁹ remarked, however, that it had been *sub dominio Turcarum à saeculo et ultra, cum antea Venetis pareret*, an account which appears to me to coincide with the real facts. But both Spon²⁰ and Wheler²¹ censured the geographer for his statement that it had been Venetian, so completely had the Venetian tradition faded at the time of their visit in 1675. At that period, as they inform us, the sultan's galleys never failed to come there every year to collect the capitation tax, and the governor of the island was a Greek sent by the Turks from Constantinople. Both travellers surmised, however, that the island might perhaps have changed hands during the Candian war, when it was neglected. Their surmise is rendered probable by the remark of Sebastiani,²² who visited it in 1666, during that long struggle. For he says that it was then ecclesiastically under the jurisdiction of the catholic bishop of Tenos, who had begged the Venetian admiral, Cornaro, to give his deputy in Mykonos the old Venetian church of S. Marco for the use of the twenty Latin inhabitants. Randolph²³ confirms their story of its subjection to the sultan, for he tells of a visit paid to the island by the Capitan Pasha in 1680. Piacenza²⁴ reiterates their criticism of Baudrand, and mentions that the atlases of the Mediterranean erroneously described it as *insula altera hoc in tractu maritimo Reipublicae Venetae obsequium praestans*, whereas it was really 'under the Turkish yoke.' Dapper²⁵ takes the same view. After mentioning that Tenos 'is the last Venetian island in this quarter of the Levant' he adds that there are authors who allege that Mykonos is in subjection to Venice.' Finally, in 1700, Tournefort²⁶ found the island dependent on the Capitan Pasha, to whom it paid the capitation tax, while in the last war it had been subject to the bey of Kos. Although, he says, it was conquered by Barbarossa, the Venetian governor of Tenos still continues to style himself *providitore* of Mykonos also. But throughout the period of the Candian war and right down to the end of the Venetian occupation of Tenos the governor of the latter is always called simply *Rettor a Tine* in the

¹⁶ *Viaggio di Levante* (Ital. tr.), p. 3.

¹ *L' Arcipelago*, p. 42.

²⁰ *Voyage*, i. 145-7.

²² *Viaggio all' Arcipelago*, p. 68.

²³ *The Present State of the Islands in the Archipelago*, pp. 14-20.

²⁴ *L' Egeo Redivivo*, pp. 331-2.

²⁵ *Naukeurige Beschryving* (French tr.), pp. 267, 354.

²⁶ *Voyage du Levant*, i. 108.

¹⁷ *Relation d'un Voyage*, p. 196.

¹⁸ Vol. i. p. 687.

²¹ *Journey into Greece*, pp. 62-5.

official registers.²⁷ If further refutation were needed of Hopf's statement that Mykonos was captured from the Venetians in 1715, it may be added that Ferrari,²⁸ the contemporary authority for the surrender of Tenos, never mentions it, nor does it figure in the peace of Passarovitz. W. MILLER.

Two Letters addressed to Cromwell.

THESE letters are taken from the Birch MSS. in the British Museum, and no doubt originally formed part of the Thurloe collection. Many papers belonging to that collection evidently remained in the hands of Dr. Birch after the publication of the seven volumes of Thurloe's *State Papers* in 1742.

Jeremiah Whitaker, the author of the first letter, was rector of St. Mary Magdalen, Bermondsey. According to the *Dictionary of National Biography* he died on 1 June 1654. The funeral sermon, preached by Simeon Ashe, and published under the title of *Living Lives betwixt Christ and Dying Christians*, gives a detailed account of Whitaker's life, and contains Ashe's personal recollections of his friend's character. The letter is undated, but the Protector's ordinance abolishing the enforcement of the engagement, referred to in line 17, was issued on 19 January 1654. The book which Whitaker presented to Cromwell was probably *Ius Divinum Ministerii Evangelici*; or, *the Divine Right of the Gospel Ministry*, published by the Provincial Assembly of London. Thomason dates it 7 February 1654.

The second letter, or rather paper, must be dated from internal evidence. Colonel Henry Smith became governor of Hull about February 1658, when Colonel John Bright was removed.¹ John Canne, the Fifth Monarchy preacher, left Hull some time during 1657.² The allusion to the revival of the design for making the Protector king seems also a proof that the paper containing it was written in February or March 1658. The authorship of the paper is more difficult to determine. It may very likely have been written by John Shaw, master of the Charterhouse at Hull and minister or lecturer of Trinity Church there. His autobiography, printed in the volume of *Yorkshire Diaries*, published by the Surtees Society in 1875, gives an account of his quarrels with Canne. During the protectorate of Cromwell, Shaw tells us, 'I was sometimes called to preach before him at Whitehall, and sometimes at Hampton Court, which I did with the freedom and plainness of old Latimer.' In this paper of 'Petitions and Proposals' there is

²⁷ Vols. xv. to xviii.

²⁸ *Delle Notizie Storiche della Lega*, p. 41.

¹ Thurloe, vi. 777, 784; *Cal. State Papers, Dom.*, 1657-8, p. 280.

Dictionary of National Biography, viii. 412.

the same 'freedom and plainness' about the abuses of the time, and the remarks on the oppressions of the excise and the state of feeling about Cromwell's foreign policy deserve attention. The rest of the paper relates to the condition of Hull, and is valuable as a description of the town and garrison at the time when Sir Henry Slingsby made the rash attempt to procure the delivery of the town to the king, which brought him to the scaffold. From the absence of any definite reference to Slingsby's scheme the paper was probably written before the business was generally known.

The punctuation of both letters has been altered.

C. H. FIRTH.

I.

*A Letter from Jeremiah Whitaker to the Protector Oliver Cromwell.*³

SR,

May it please your Highnes to pardon this boldnes in presentinge this booke composed by some godly men to appease the heate of present controuersies, wherin is proued that the office of the ministry is not the invention of man but the institution of Jesus Christ, that the necessity of this office is perpetuall, that the ministry was so preserved vnder Anti-Christ that it is not antichristian, that this office is peculiar to some and not common to all, and that they who assume this office must be called lawfully thereunto, and also how far ordination in generall is necessary, and how far that which is vsed with vs is justifiable.

I cannot come to tender it, beeinge confined to my chamber under extreme tormentinge paines of the stone, which forceth me to cry & roare night and day, but blessed for euer be the Lord who hath begotten vs to a lively hope through Jesus Christ that the thoughts of eternity doe sweeten the bitter things of time, that when we are weary of this life we may justly reioyce in the hope of a better.

In this dying condition give me leaue to tender many thanks to your Highnes for taking away the Engagement whereby you have greatly refreshed the consciences of many. The good Lord recompense this great act of mercy, and enlarge your heart to prevent the like snares for the future, which the worst of men scorne, and under which the best mourne. And the same God who hath raised you above other men still raise you to be higher than yourselfe, far aboue all these dominions and thrones and powers, that you may account all these things low and little drops, and dust, dunge, and drosse [that they may] even prove nothings in comparison of things eternall. Alas what poor things are Pompey and Cæsar, Nimrod and Nebuchadnezar, to the soule whose thoughts are fixed upon everlastingnes.

May it please your Highnes to consider seriously how religion is not only weakened by divisions, but almost wasted by the daily growth of Atheisme and prophanes. The reignes of Gouverment a long time let loose, and now lost, in the church totally, in families extremely, so that maisters know not how to order their servants, nor parents their children. All grow willinge to command but vnwillinge to be commanded,

³ British Museum, Add. MS. 4159, f. 113.

sabbaths generally prophaned, ordinances despised, the youth playinge while the ministry is preachinge, the consciences of men growinge wanton, abusinge liberty to all licentiousnes; and there is none left in most places to put offenders to shame for any of these abominations. The good Lord perswade your heart powerfully to appoint such justices whose principles and practises lead them to restrain vice, who do account the sabboth their delight, that so inferior officers may bee by them encouraged to repress prophanes.

I beseech you also in the bowels of Jesus Christ to remember the many poore sincere ones in the land, who in vprightnes of heart lent the greatest parte of their estate vpon publike faith. The Romanes were forced in like straites to borrow of the people, but it is recorded for their glory that their wars were no sooner ended, but those publike debts were discharged. Let not Paganish Rome rise vp in the day of iudgment to condemn vnfaithfull England.

The neglect of this will involve the land in National guilt. I am perswaded, if the Lord helpe you to defray those debts, that you shall win the harts of very many and stop the mouths of your greatest adversaries.

And now that I have taken vpon me to speake, let not your Highnes be angry with your poore seruant, if he implore your pittie and pardon and protection for the safe returne of M^r Cawton,⁴ a sincere seruant of Christ, who beeinge invouled in the busines for which M^r Love suffered death hath ever since suffered a voluntary banishment in great extremity and hardship. May not the blod of M^r Love suffice for that offense? Haue not others done in other kindes as much and yet found fauour? I beseech your Honour sweeten the beginninge of your Gouernment with Acts of Grace, and oh that such a day of release might come that your Highnes might see it both for your Honour and safety to proclaime liberty to the captiues and the openinge of the prison to them who haue long bene bound. The God of glory helpe you to lay such foundations of common equity and righteousness that you may leave the Nation in a better condition when you dy, then you found it; that you may giue vp your account with joy, which is the harty prayer of

Your Highnes humble servant

JER. WHITAKER.

II.

*Petitions and Proposals.*⁵

Those few Petitions and Proposals a little Glanceing att the Honour and glory of the Almighty, the Tranquility and Perpetuall Honour of your Highnes, and the good of all God's People, are Humbly Presented to be read att Best leasure, earnestly begging Pardon for the presumption of such an vnworthy servant, which shall ever pray for your Highnes long and Prosperous Government and Eternal Happiness &c.

It haueing pleased the Lord God of Hosts (for the good of his People) by his Providentiall dispensations to lye the chiefe Government, Civill, Ecclesiasticall, and Military, vpon your Highnes shoulders, soe I begg for

⁴ Thomas Cawton. See *Dictionary of National Biography*, ix. 381.

⁵ British Museum, Add. MS. 4159, f. 105.

his sake which is onely able to give strength and beare vp your Highnes spirritt, through all difficultyes and mountaines of opposition :

That each may keepe their proper Station. That the servant rule not over his maister.

That a strict discipline be kept over the Armye. That Bacchus may keepe his Revills noe longer where Mars should keepe his Schools. —The Lord knowes how sinn abounds by drinking, whoreing, and swearing—

That all officers both by land and sea and souldiers that have estates or trades be lyable to pay sess as others doe.

That a special care be taken of all Garrisons. Its opportunity makes both Theefe and Traytor or Rebell, for none contrive a plott or insurrection but they first seeke out their instruments or agents as meanes to effect the same by degrees. And therfor as much as may be to prevent the Lord Lambert, or any other discontented spirritts whatsoever, from attempting any thinke against this Towne for the future, that all the Garrison may be drawne out as well of the blockehouses as the Towne. For the blockehouses are cheefly to be looked too as Commanding all the Towne ; those three Companies haue been 12 yeares, which is too long, in them, and People that are discontented are too well acquainted with the souldiers and their vsuall custome of keepinge their Gards, and their officers, Major Waterhouse, Lieutenant Thompson, Ensigne Fairweather, and Captaine Overton and his officers, minde nothing but Hawkeing and hunting, seldome lookeing to their charges, which might give a faire oppertunity either to Caveleares or others (They and Captaine Northend alsoe are too kinde with the Lord Lambert and Coll: Overton) to attempt a surprisall. I doe not think that they have halfe their Companies except att musters, they drive a subtile Trade by entertaining friends and such as have runn out of Scotland, give such liberty and soe negligent that I durst venture my life I could surprize either of the blocke houses or Castle with thirty men, and I conceive that 50 men in each house and Castle, with beds to lodge in Constantly their, vnder honest and trusty officers, would keepe them more securely than ever they were kept yett, for these have most of them wifes in the Towne or Country, soe that they are never in the houses or Castles but just when they are on duty. And 250 men in the Towne might keepe the Towne as well as formerly, with every fourth night duty 60: of a night, quitting the maine Gard in the Markett Place which is altogether needles, and keepinge the same at the Magazine for more security, for if ever a surprize should be attempted that would be the first worke in the Towne. Likewise a Troupe of horse, by turnes Constantly Quartred one squadron in Hull, another squadron att Beverley, and another squadron att Headon and Pattrington, might be much for the security of the Towne, and a discouragement to the designes and attempts of any Enemy whatsoever. Lett but the Blockehouses and Castles be secure, and there is noe feare of Hull. Soe long as your Highnes commands the seas, the Townes men would gard it themselves ; but if the Hollander or any other should command the seas 1000 men would scarce keepe Hull, for the Townesmen would venture all to Inioye their Trade, as they did with Sir John Hotham. If the King had commanded the sea the Lord Fairefax had not beene Governour of Hull.

There was never an officer att that time that tooke part with the Towne but Collonell Overton, he being then a Captaine.

Alderman Raikes did good and faithfull service att that time, but never received any reward for the same. But if your Highnes would be pleased to settle the Trained bands againe in faithfull hands, and dismiss the 8 Troupers it could not but tend much to the ease, strength, and settlement of the Nation, and [to] make Alderman Raikes the Captaine of the Trained bands of this Towne would make the old man young againe. Likewise that the Towne may receive 100th rent p. an. for the mannor from the State, which is the Magazine, and was given the towne by the Long Parliament, but never received any rent for the same; as alsoe that the Maior and Aldermen may have liberty to put in a horse to grass on the Garrison side all summer, as they did before the warres, but have been hindred since by the officers of the Garrison, which did trouble them more than the thing is worth.

Captaine Brockett is a heaive sottish man, too much inclined to drinke, would be better in field service then in such a Garrison as this; his Lieutenant which commands Cliffards tower in Yorke is my neare friend, but too weake to command such a place, he is a good souldier for field service. There is neede of an understanding and faithfull officer to command there. Yorke is a base Place and may give a beginning to much mischief if not by care Prevented; two Troupes of horse are few enough to quarter there constantly. Captaine Barnard which commands Scarborough Castle is very honest, able, and dilligent, and his lieutenant Ledyeard alsoe, yett I was troubled to see their too much care in one thinge, for they haue for the more security digged down a way which led downe the cliff on the sea side on the East, by which when Sir Hugh Chomley kept it the long seige he sent out his spies, and received intelligence, and received fresh victualls and water constantly; one man could but pass at once, and fivie men might have kept the pass against 5000, and 500th will scarce make the like convenient againe if need should bee; it was a great oversight. Captaine Northend is a pretty vnderstanding man, and a good souldier, but whether to repose trust in or noe I dare not say, for I know he was discontented when formerly reduced, and then the Lord Lambert gott him in againe and Coll. Salmond.

It was a wise course that was taken about the Trained bands in the late Kings dayes, though it proved fatall to him after, for care was taken to putt such Gentlemen over the Trained bands as were judicious, and had good estates, and most Popular and best beloved by the Country. Wee did experience that in Sir John Hotham, for he being in the Parliament, being Collonell of the Trained band of foote for the East Rideing and of this towne, sent downe his son with order to bring them into this towne with all speede, which he did, and at the very same time the Earle of New Castle, which commanded the Trained band for the North Rideing, was soliciting the Towne that he might bring in his regiment for the King; but the Towne denyed him, and recieved Mr Hotham through affection to his Father, because he vsed to traine and exercise the Townesmen sometimes. Collonell Overton, then a Captaine, was the first Company that entred the Towne at the North gates when the Earle of Newcastle was in our Townes Hall with the Maior and Aldermen, which

did startle him much, fearing to be taken Prisoner, but he fled with all speede.

Collonell Allured is very quiete, mindeing nothing but the increase of his Estate, buying land every like, which makes me thinke his discontent was not soe much att your Highnes taking that Tytle of the Goverment, as by missing some honour or Preferment which he expected or aimed att. I would not judge too rashly, but I feare the same or like occasion caused Collonell Overton's discontent; the heart of man is deceitfull aboue measure, who cann know it? And I am confident that he had never continued soe obstinate if it had not been for the imperiouse spiritt of his wife. He was Pleased to looke vpon me farr aboue desert; he is a pretty man and able commander, I would treade 500 miles on foote vpon condition that there was now that Reciprocall affection betweene your Highness and Collonell Overton that there was once. I never heard man in my life soe highly and Honourably Characterize your Highnes as he did. And surely hee could not have a Heart to Preiudice that person whom he soe highly Honoured; and this is my ground, for if he had had any designe of opposition in a hostill way he had this whole Garrison at his Beck, and might have brought in 500 men out of Houlderness in a night time, which would have cost much blood to regaine, and by which he might haue beene inabled to have made tearmes good enough for himselfe and adherents, as well as the Lord Kenmore did after Major Water-son and Captaine Overton lett him goe out of Prison att Hull when they gott all his money at Tables and Bowles (as was said). Colonell Overton hath many pretty children, and pittie it is he should want the comfort of them. And if it might please your Highnes to give him his liberty I will engage both my life and little Estate I have to be a true and diligent watchman over him, and faithfully to certifie your Highnes vpon all occasions of his behaviour and actions. I love him well butt the Peace of the nation better, and I am sure he cann act nothing but I shall haue timely notice thereof, I am soe intimate both with himselfe, his sonne, his man, and all those of the fifth monarchye judgement in these parts, with whom he will joine and must act if he make any disturbance in these parts. I humbly conceive that it would be a good way to Punish such as endeavour or disturbe the Peace of the nation, either by death, Banishment, or Fine, presently, better then keepe them soe long in Prison. Mr Hutton had better haue payd 1000^{li} att first then stay 82 moneths in this Towne. Most persons now incline to Peace and Settlement, and that your Highnes might take vpon you the title of King; and if electiue, that he might be declared that shall succeed and be confirmed by the next session of Parliament, or if hereditary, that the Parliament confirme the same; it might conduce much to the settlement of mens minds that expect and delight in trouble and change, for most hopes of discontented spiritts now is, that att the death of your Highness all will be in a Chaos of Confusion, every greate one striveing who shall be Chiefe. The Lord God Almighty teach your Highness and Councell wisdome to Prevent the same and all the designes of the Devill and wicked men &c.

Persons of all sorts desire a warr with the Dutch, and that the warr in Flanders may be vigorously carried on by the English, butt few relish the warr in the West Indies, the climate destroying more men than the

enemy. Much money might be raised willingly for that end, and men enough list themselves volunteers at the spring att beate of drumm, if it be declared for that service. Butt few desire to goe to assist the Sweath, because it is a could Country, give little pay and hard diett, yett it is looked on as an act of much prudence in your Highness and Councell to give comission to such as Collonell Vavaser,⁶ which have beene of the Kings partye, to gather vp such few persons as make a trade of begging and stealeing ; it may prevent their hanging. The nation is mighty populous notwithstanding all these warrs and sicknesses.

Much money might be raised out of Crown lands &c. sould too cheape, the tythes and impropriations would amount to a good sum of money ; if it should please your highness to borrow but halfe a yeare revenue of Clargie and such as doe inioye them, I perswade my selfe it would be willingly lent, because they were lately in feare to loose them all, and they would take that as a confirmation. Providing of good schoole maisters are much neglected by such as should doe. I am sensible of the good I received by a good schoole maister.

Our new Governour, Collonell Henry Smith, seemes to be a sollid sober spiritted Gentleman ; I hope he will not be such a hott persecuting spiritted man as Collenell Bright ; his moderation was not knowne to all, I fear he never learned that Goulden Rule to doe to others as he would be done too.

There are many Persons of differing judgements in this place, and I hope many of each that are truly Godly, many are very poore and want good teachers because they are not able to maintaine such, and are forced into houses and corners for want of a convenient meeting place ; them that vsed to heare Mr Cann are the greatest number, all which are accounted Enemies to your Highnes and Government, butt are not soe, for I know them all, and there are not about 5 to 6 persons that are soe, and they not of any ability to doe any hurt but with their tongues sometimes to vtter their bitter invectives. And if it might please your Highnes at this new Governours Entrance to take Care to send downe an able, sweete, and moderate spiritted soule searching minister of the independent judgement to preach in the Quire (where Mr Cann vsed), both to the soulderye and others that would come, he would draw in a little time all the dissenters except 10 or twelve, I know their mindes are generally inclined to such a vnion if they might be taught for nothing. It would tend to your Highneses perpetuall honour if Care were taken to settle a sequestred tyth or impropriation of 100^l p. ann. lyeing in Yorke or Linckeholne shire vpon the Quire to maintaine a Lecture there for ever.

There is great neede, nay necessity for one, there being but two churches in this populous Towne. Believe it the children vnborne would have cause to Bless God for your Highnes Bounty and pyous Care therein.

A regulation in apparrell is much wished for ; it would be a commendable thing to have an English man knowne in all nations by his constant and decent habitt, and not to goe like Antickes or Apes.

Oh that if it be the will of God that I might see the day of vnion of

⁶ Sir William Vavasour was given leave to collect a thousand prisoners for vagrancy and other offences, and transport them for the service of Sweden, on 14 August 1656 (*Cal. State Papers, Dom.*, 1656-7, pp. 71, 86).

all Protestant Princes and States against the antichristian powers of Rome and all her adherents to endeavour by a joynt power to destroy her and make her desolate, and that one Protestant might not kill and murther another as they doe dayly. The Lord in mercy lett them see her cunning plots and stratagems, hyreing one brother to destroy and kill another, and give every Protestant Prince and States contented hearts with their own dominions, and to Injoy a free trade, and contribute each their proportion against Rome &c.

I hope the Lord will make your Highness an eminent instrument to endeavour the same.

These new Excisemen for ale and Beare are soe vnreasonable in their demands of eight shillings per quarter of malt that I never heard the like out crye in all my life, most of the able innkeepers and brewers give over, and the excise men force the poorer sort to give over, in soe much that Barley is false from 20^s to 15^s per quarter, which made ill for the farmer to pay his rent at Martinmas; if this continue Travellers will be troubled to get accommodations on the roades, neither will there be any Beare to be had for men of warr in this port. I humbly Beseech your Highnes to consider of it, for it reflects much vpon your Honour, and lett them not haue such a vnlimited power as they have, or else doe assume and none dare contradict them. I am perswaded both this Towne and all England would be willing to pay the same rates quarterly that they payd formerly, and give good bond, and bring it in themselves to the justices every quarter sessions without any charge, and for all other commodities the customes officers might take it, and soe laye by the Excise men, and bring in 100,000^l per an. more into the public purse &c.

A Memoir of Queen Mary Caroline of Naples.

THE Biblioteca Nazionale of Naples possesses a manuscript entitled on the first page—

De la révolution du royaume de Sicile des événements qui y ont servi de prétexte et de la manière dont la famille royale a été traitée. Le tout appuyé sur un grand nombre de pièces justificatives. Par un témoin oculaire bien instruit des faits et qui en a soigneusement recueilli les détails. Tome 1^{er}. [At the foot of the page—]

Dans ses yeux, dès qu'il peut mal faire,
On voit le sourire malin,
Le sourire de la vipère
Qui vient de lancer son venin.—*Ode de la Chancellerie.*

The manuscript is in somewhat incorrect French; the date may be fixed at 1811–1814; it is written on paper of the period, and in an ordinary clerical or diplomatic hand, save for some interpolations; it is in two small folio volumes, the first containing 235, the second 195 pages of written matter and twenty-seven blank. The binding is modern, and the officials of the library have no

information to give as to when and how the manuscript came into their possession ; but it is possible that a clue might be found in the papers or archives of the princely house of Trabia.

The author of the book was Queen Mary Caroline of Naples, as is abundantly proved by the internal evidence. Furthermore the insertions just mentioned, which occur towards the close of the second volume, are in a handwriting that may without hesitation be attributed to the queen. Her hand was not a common one for the period at which she wrote ; it was, in fact, distinctive, and if these interpolations show a slight variation from the queen's usual hand I think this may be explained by the facts that the writing had to be cramped to get the words into the page, and that the interpolations can all be assigned with certainty to the summer of 1814, when the queen, after her long and eventful life, was rapidly nearing her end, and when fatigue and ill-health may well have somewhat altered her handwriting.¹

The title page and some passages towards the close of the second volume indicate clearly the nature of the manuscript. The *révolution de Sicile*, alluded to in the title, was Lord William Bentinck's seizure of control by means of the Sicilian liberal party in 1812 ; the quotation at the foot of the title page is aimed at the British agent ; the whole form of the title page suggests a book or pamphlet. And this was, in fact, what Mary Caroline intended. The spring and summer of 1814 had brought her an opportunity. Driven from Sicily by Bentinck, she had reached Vienna just as the fall of Napoleon had led to the inevitable congress of all the powers. Always a voluminous writer, Mary Caroline now rapidly dictated an account of her struggle with Bentinck, which was apparently elaborated from a fragment already written and from numerous notes and papers in her possession, and also from her very uncertain and prejudiced memory. This manuscript was the result. She puts the case as follows in one of the many passages that decide the authorship (i. 234) : after stating that she has informed Bentinck of her intention of publishing a pamphlet against him she goes on, *S'il a cru pouvoir se permettre de calomnier ouvertement des souverains, de les insulter jusques dans l'asyle de leurs palais, pourquoi n'aurais-je pas le droit de l'en accuser ouvertement ?* Her accusation was to be laid before the Congress of Vienna, and if ineffective then to be printed and published ; hence the form of the title page. But the queen died on 7 September 1814, three weeks before the preliminary meeting of the congress took place, and thus her memoir never saw the light.²

¹ I propose on a future occasion to discuss the question of handwriting at greater length, and also to produce facsimiles.

² It has long been my intention to publish the manuscript ; when I discovered it in the winter of 1901-2 I had other work in hand, that prevented my making a

In anticipation of the edition which I propose to publish of the entire work I now print two of the more interesting passages from the early part of the memoir.³ The notes are such as I am able to frame with the insufficient material now at my command.

R. M. JOHNSTON.

I.

Mr. le Duc d'Orléans dont la vie est si connue après avoir erré plusieurs années en différentes parties de l'Amérique, était enfin parvenu à se faire accorder en Angleterre un asyle, qui lui avait été longtemps refusé. En Mars de cette même année 1808 il quitte brusquement Londres, sous prétexte d'accompagner à Malte le Comte de Beaujolais son frère dont l'état de santé était tellement désespéré qu'il mourut en effet en arrivant dans l'Isle ; mais le véritable objet du premier, était tout autre que celui qu'il annonçait, bientôt la Cour apprit que S. A. s'était débarquée à Messine, d'où elle demandait la permission de venir présenter à LL. MM. son respectueux hommage. On sut en même temps que le gouvernement Britannique se défiait si fort de [24] lui, qu'il l'avait fait accompagner par un colonel Anglais qui ne le quittait pas un instant.⁴

Une telle visite déplaisait fort à LL. MM. mais elles n'eurent pas la force de s'y refuser, malgré les avis qu'on leur donnait des projets qu'on pouvait raisonnablement supposer à Mr le Duc d'Orléans sur Madame Amélie, seule Princesse qui restait à marier et qui désirait ardemment de prendre un établissement. Enfin il arriva à Palerme⁵ ayant pour toute suite l'observateur qu'on lui avait donné à son départ d'Angleterre. Il fut accueilli avec politesse mais aussi froidement qu'il avait du s'y attendre ; le public même ne le voyait qu'avec une sorte de répugnance et sans la circonstance que je vais rapporter, il est probable que S. A. S. n'aurait pas retiré de son apparition en Sicile l'avantage qu'elle s'en était promise.

Voici une preuve non équivoque de la manière dont les Palermitains regardaient ce Prince ; les fêtes de Ste Rosalie, qui commencent annuelle-

copy, but I have now obtained the valuable assistance of Signor Scognamilio, who is preparing a transcript under the learned supervision of Professor Barone. There are, however, other difficulties, one of which arises from the nature of the MS. and of its author. The MS. is essentially an *ex parte* statement ; it is the special pleading of the dethroned queen against her successful opponent, Bentinck ; further it is the work of a woman whose temperament made it impossible for her ever to achieve precision, exactness, or veracity of statement. It therefore follows that no publication of this memoir can have value unless it be accompanied by notes estimating the degree of credibility to be attached to the statements of the text. It is, unfortunately, not possible to prepare these notes in a satisfactory way without using libraries and archives that are for the moment beyond my reach, and therefore publication in proper form must be delayed.

³ The text of the MS. is reproduced exactly, save for the occasional transposing of a comma ; the page numeral of the MS. is indicated by square brackets.

⁴ The court of Palermo knew that the avowed object of the Duc d'Orléans in coming to Sicily was to ask for the hand of Princess Marie Amélie. The first feeling of aversion to the prince soon passed, as is vouched by the diary of Marie Amélie (Trognon, *Marie-Amélie*, p. 42) and by the verbal account given by Louis Philippe to de Bacourt (Imbert de Saint-Amand, *Marie-Amélie et la Cour de Palerme*, p. 96).

⁵ June 21.

men le 11 de Juillet et finissent le 15, donnent occasion à des courses de chevaux et la Cour était dans l'usage d'aller jouir de ce spectacle chez le Prince de Belmonte. Le premier jour Mr. le Duc d'Orléans profitta d'un moment où la Reine était au balcon pour s'entretenir longtemps seul avec elle, croyant ainsi se donner du relief; mais le Peuple rassemblé dans la place qui se trouve vis-a-vis, en murmura et disait tout haut: qu'il était inconcevable que S. E. traitât, avec tant de distinction, un des principaux complices de la mort de la reine sa sœur; ⁶ les propos furent si violents, qu'on crut devoir en avertir S. M. qui le lendemain évita de donner lieu à pareilles plaintes. Je puis ajouter à cela que même le mariage qu'a contracté S. A. S. ne l'a pas réhabilité dans l'opinion des Siciliens qui en ont murmuré; qu'à l'exception d'un petit nombre de factieux et de quelques Anglais, personne n'approche de son Palais, et que malgré l'affectation qu'elle met en parcourant la ville à provoquer les saluts, on n'y fait nulle attention, tandis qu'au contraire, toutes les fois qu'on aperçoit la Princesse, on [25] s'empresse de lui témoigner le même respect qu'auparavant qu'elle fut devenue Duchesse d'Orléans, pour le malheur de la Cour et peut-être pour le sien. Mr le Duc a donc beau s'agiter, il peut être sur, qu'il ne se conciliera jamais le suffrage de la Nation Sicilienne dont il est trop connu.⁷

Mr le Duc d'Orléans était déjà sur son départ, lorsque la Cour eut connaissance par la gazette de Gênes, de la Révolution d'Aranjuez, et bientôt après elle apprit par les Moniteurs tant la captivité de la Famille Royale arrêtée à Bayonne, que le traité de cession de ce Royaume à Bonaparte dont elle avait été suivie.⁸ Le Duc profita de cette occasion pour se faire valoir; il avait parcouru quelques Provinces de l'Amérique Espagnole; ⁹ il exagéra les connaissances locales qu'il prétendait avoir

⁶ Marie Antoinette.

⁷ At this moment the court and political parties were very divided. Part of the Sicilian nobility was with the king; opposed to them were the liberals, headed by the prince of Belmonte and leaning on the British. There was also a Neapolitan party or clique, mostly ministerial office-holders, and a smaller but at this moment very influential one of French *émigrés* high in the good graces of the queen. The marquis de Saint-Clair (strictly speaking *marchese*—his title was Italian) was Mary Caroline's favourite, and the French party behind him was anxious to neutralise the influence which Louis Philippe, from his rank and ability, appeared likely to obtain. Hence doubtless the somewhat improbable suggestion from the queen's *entourage* that the Sicilians were murmuring as to the duke's connexion with the French Revolution. The incident shows the way in which the queen's decisions were influenced by those who served her. Her attitude to Louis Philippe varies. Before seeing him she is averse, because of his connexion with the Revolution. She then comes under the influence of his manners and intellect. Stronger even than this is the very real affection that Marie Amélie feels for the prince, and this tells decisively with the queen, who above all things loved her children. Against Louis Philippe was, from the first, the constant working of the queen's *camarilla*, and later his attitude in political questions. The memoir was composed at a time when the queen's opinion had become altogether hostile to him. In 1809 she wrote of the marriage as follows: '... mauvaise Amélie s'est mariée au Duc d'Orléans, ils n'ont rien à vivre, sont pauvres mais heureux, s'aiment entre eux infiniment...' (Mary Caroline to F. Boehm, 27 December 1809. British Museum, Egerton MS. 2401, f. 148.)

⁸ Napoleon obtained the renunciations of Charles IV and Ferdinand to the throne of Spain, on which he placed his brother Joseph.

⁹ He spent eighteen months at Havana in 1798-9.

acquises de ce pays là ; il en présenta de superbes cartes dont il se trouvait possesseur ; il affecta de déclarer, qu'il n'avait aucune prétention sur l'héritage de l'Auguste famille tombée dans les fers de Bonaparte ; qu'il convenait que cet héritage ne regardait que S. M. Sicilienne,¹⁰ et qu'il était prêt d'aller servir la cause de S. M. partout où elle croirait qu'il pourrait le faire utilement ; mais adroitement il glissa qu'en vertu de la renonciation de Philippe V à la Couronne de France, il en devenait l'héritier présomptif, et qu'elle ne pouvait manquer de lui échoir vu qu'il était certain que les Princes de la branche Royale, sans en excepter Monseigneur le Duc de Berri, étaient hors d'état de laisser de postérité.¹¹

Cette prétention ridicule et au fondement de laquelle le Duc croyait certainement d'autant moins, qu'à l'époque où son père dominait la trop fameuse assemblée nationale de 1789 il avait inutilement tenté d'y faire prononcer la validité de cette renonciation, trouva néanmoins crédit tant auprès de LL. MM. que de quelques uns de leurs Ministres qui ne se donnèrent pas la peine de réfléchir que de tels actes engagent nullement les descendants du Prince qui les fait, et qu'en admettant le principe contraire, il faudrait regarder ce même Philippe comme [26] usurpateur du Trône d'Espagne, puisqu'il n'y est monté qu'au préjudice de la renonciation, aussi très solennelle, de la Reine Marie Thérèse d'Autriche son Ayeule, dont il représentait les droits. Quoiqu'il en soit, cette soi disante expectative avança beaucoup les affaires de Mr le Duc d'Orléans.

La Cour, avec raison, s'occupait particulièrement de l'Espagne et elle pensa d'y envoyer un Régent, pour se mettre à la tête des Insurgés et gouverner le Royaume au nom de Ferdinand VII.¹² Le Roi désigna pour cette commission importante Monseigneur le Prince Léopold qui n'ayant alors que dix huit ans, devait nécessairement manquer d'expérience, malgré les talents dont il est doué ; mais S. M. y suppléa en plaçant auprès de S. A. R. le Prince de Cassaro, qu'on eut beaucoup de peine à décider d'accepter une charge aussi délicate que l'était celle-là, et le Roi lui confia ses instructions.

Le Duc d'Orléans offrit d'accompagner S. A. R. se flattant intérieurement de pouvoir la diriger à son gré et de ne travailler que pour lui en feignant de servir la cause du Roi. Le Duc d'Ascoli,¹³ tout puissant auprès de LL. MM., ne s'oublia pas dans cette occasion, il se fit nommer Viceroy de la nouvelle Espagne, et, sans lui faire injustice, on peut convenir que c'eût été pour les habitans de ces contrées lointaines le plus grand fléau dont la colère céleste put les affliger, mais

¹⁰ Ferdinand of Sicily being the younger brother of Charles IV of Spain.

¹¹ The duke's conduct was obviously, in view of the past, open to suspicion. It must be added, however, that at the time he was making these declarations to the Sicilian court he wrote two letters, one to Queen Mary Caroline, the other to the comte de Provence, disclaiming in categorical terms any intention of ever accepting a change of succession in the family line to his own profit (Imbert de Saint-Amand, *op. cit.*).

¹² Son of Charles IV and nephew of Ferdinand of Sicily.

¹³ Bastard son of Ferdinand and always a great favourite with the king. He usually steered a middle course between political parties, and his actions were always directed to his own pecuniary advantage.

heureusement pour eux, les circonstances ne permirent pas qu'il allât remplir ce poste.¹⁴

Mr Drummond¹⁵ procura à Monseigneur le Prince Léopold un Vaisseau¹⁶ pour le transporter à Gibraltar et le départ de S. A. R. fut fixé au 27 Juin. La veille le Roi donna un grand dîné à la Campagne et après le repas S. M., séduite par le zèle apparent de Mr le Duc d'Orléans, comme peut-être par l'idée qu'il pouvait un jour devenir Roi de France, commit la faute de promettre à ce Prince que si les choses prenaient en Espagne une tournure favorable et qu'il [27] s'y conduisit bien, elle lui accorderait en mariage Madame la Princesse Amélie. C'était remplir complètement le but que s'était proposé Mr le Duc d'Orléans; et satisfait comme il devait l'être de ce succès, il courut chez la Reine qui était restée en ville et lui en donna la nouvelle. S. M. la recut non seulement avec surprise, mais encore avec les marques d'une désapprobation assez visibles pour qu'elles ne pussent échapper au Duc, et il est probable que ce Prince ne s'en est que trop rappelé; cependant comme on prenait déjà plaisir à rejeter sur S. M. toutes les fautes que commettait la Cour, on l'accusa encore d'avoir poussé à cette fatale union tandis que tout ce qui approchait la Reine à cette époque a été témoin, comme moi, des larmes que S. M. versait lorsqu'il en était question. Si donc on peut à cet égard reprocher quelque chose à cette magnanime Princesse, ce n'est que de n'avoir eu assez de fermeté pour s'y opposer au risque d'affliger une fille qu'elle chérissait trop pour vouloir la contrarier.

Enfin le lendemain le Prince Léopold s'embarqua et le vaisseau mit à la voile. La traversée ne fut que d'environ douze jours pendant lesquels néanmoins Mr le Duc d'Orléans ne laissa pas de commencer à se démasquer. Il avait été décidé que S. A. R. ferait proclamer Régent le Roi son père et qu'elle ne prendrait que la qualité de Lieutenant de S. M. Cet arrangement ne convenait pas à Mr le Duc d'Orléans; il le traita de ridicule et tenta de persuader au Prince Léopold de prendre la Régence en son propre et privé nom; mais Monseigneur, qui en fils soumis respectait les volontés du Roi rejeta constamment ce conseil, et pour faire cesser la persécution du Duc à cet égard, il lui proposa de faire décider la question par le Prince de Cassaro. Mr le Duc d'Orléans s'opposait sous différents prétextes à ce que ce sage Ministre fut consulté, certain de trouver en lui un contradicteur; cependant S. A. R. le fit appeler et la question ayant été agitée devant lui, il répondit qu'une telle démarche serait absolument contraire aux instructions de S. M.

¹⁴ Another important person concerned in this expedition was the marquis de Saint-Clair, who was at the head of Prince Leopold's household, and who on this account accompanied him to Spain. The key to the affair may possibly be that given in Mellish's 'Relation' (*Revue d'hist. dipl.* 1895, p. 125), that the queen was anxious to get Saint-Clair away for the moment, owing to the rise in her favour of another member of her court. This was Afflitto; cf. Lord Valentia's *Journal*, cited by Jeaffreson, *The Queen of Naples and Lord Nelson*, vol. ii. J. C. Mellish was secretary of the British legation at Palermo from October 1807 to January 1809; he acted as *chargé d'affaires* between the departure of Drummond and the arrival of Amherst.

¹⁵ The Right Hon. Mr., afterwards Sir, William Drummond, British minister at Naples 1801-3, and at Palermo 1806-9. His action in facilitating the journey of Prince Leopold to Spain was disapproved by his government.

¹⁶ H.M.S. 'Thunderer.'

Mr le Duc d'Orléans répliqua avec toutes les marques du dépit le plus évident : [28] Je connais ces instructions, elles ne sont bonnes qu'à jeter à la mer, et se tournant vers son altesse Royale il ajouta : Je vous avait bien dit qu'il n'y avait rien à tirer du Prince de Cassaro. Monseigneur, reprit séchement celui-ci, ce langage me surprend dans la bouche de V. A. S., et si elle s'était par hasard imaginée que je vais en Espagne pour me faire déclarer rebelle aux ordres de mon maître, elle se tromperait grossièrement.

Enfin on arriva à Gibraltar dans la soirée du 9 Juillet, et Mr le Duc d'Orléans qui s'était fait fort de procurer à S. A. R. l'accès le plus facile, n'eut pas seulement la permission de coucher dans la place ; il est même apparent que sa société fit tort à Monseigneur le Prince Léopold dans l'esprit du Général Darlyurple,¹⁷ car S. A. R. n'obtint qu'avec peine et à des conditions humiliantes la permission de débarquer pour habiter, non la ville, mais de petits maisons, situées sur le rocher aride que la domine.¹⁸

Pendant l'absence du Duc Mr Canning secrétaire d'Etat des affaires étrangères, qui savait que S. A. S. était passée en Sicile, dit au Prince de Castelcicala, Ministre de S. M. auprès du Roi de la Grande Bretagne : nous avons dans nos archives tous les détails de la vie passée de Mr le Duc d'Orléans, nous connaissons ses projets présents et futurs et je vous averti que c'est un homme sur la conduite duquel on ne saurait avoir les yeux trop ouverts.¹⁹

Le Prince de Castelcicala rendit compte de cette anecdote à laquelle on ne fit pas toute l'attention qu'elle méritait, parcequ'on se croyait débarrassé du personnage qui en était l'objet ; et telle était si bien l'opinion générale qu'en Octobre suivant, m'étant rencontré chez la Reine²⁰ avec le Prince de Belmonte, celui-ci me peignit Mr le Duc d'Orléans sous les couleurs les plus noires, m'ajoutant que, forcé par cette souveraine quelques mois auparavant de lui donner à diner dans une maison de campagne qu'il possède aux environs de Palerme, il en avait rougi autant pour lui que pour S. M. On verra bientôt que Mr [29] de Belmonte a furieusement changé de langage et je lui en fis le reproche direct en Mai 1810. . . .²¹

¹⁷ Lieut.-General Sir Hew Dalrymple.

¹⁸ Prince Leopold succeeded in getting into communication with some of the Spanish leaders, but he accomplished nothing, and left Spain on 4 November.

¹⁹ Trognon quotes Castelcicala as writing to his court as follows with regard to the prince : ' . . . venu en Sicile dans ce temps de trouble que pour faire la révolution avec les Anglais et en profiter.'

²⁰ This is a transparent literary subterfuge, of which there are several examples in the MS.

²¹ It seems doubtful whether the queen means October 1808 or 1809. At the latter date Louis Philippe reappeared in Sicily. On the failure of the Leopold regency scheme he had proceeded to England, where he attempted to persuade the British government to lend its support to the project. In this he failed. On his return to Sicily in October 1809 he was at first viewed very unfavourably by Ferdinand. The memoir contains much more matter relating to his marriage in November of that year and to the part he took later in the Sicilian revolution.

II.

[50] Dans les derniers jours de Juillet ²² on vit enfin arriver sur un Brick Anglais Lord William Bentinck que sa réputation avait précédé ; on connaissait la conduite qu'il avait tenue à Madras lorsqu'il en était gouverneur et elle ne prévenait pas en sa faveur. Il ne perdit pas un moment pour se présenter à la Cour, et si, comme le prétendent les phisionomistes, entr'autres le Docteur Lawater, les traits de la figure sont le miroir de l'ame, on put juger à l'aspect de ceux qu'offrait celle de Lord William, que la sienne devait être atroce ; en effet il a montré qu'elle est telle. Sans talents d'aucun genre, Révolutionnaire par instinct, sans plan comme sans système, pourvu qu'il renverse l'ordre existant peu lui importe ce qu'on y substituera. On a dit de lui, avec raison, que si à l'époque du Terrorisme qui a ravagé la France pendant si longtems, il se fut trouvé membre d'une des féroces assemblées qui le produisirent, il aurait certainement surpassé en cruauté l'écœurable Robespierre, et je partage cette opinion. Lord William eut une première conférence avec le Marquis Circello, Ministre des affaires étrangères ; je n'en connais pas les détails, mais il paraît qu'ils sont relatés dans son office du 2 Août. Cette pièce est d'autant plus intéressante, qu'elle offre un chef-d'œuvre de contradiction ; il commence par y déclarer qu'il a 'ordre d'assurer la Cour de Palerme dans le langage le plus explicite que le Gouvernement Britannique n'a jamais eu en vue de s'ingérer dans le gouvernement intérieur de la Sicile, ni de faire violence à la constitution de cette Isle et que le Prince Régent est déterminé à suivre sans deviation ce cours de justice, d'honneur et de bonne foi qui a été uniformément maintenu sous le Gouvernement de Sa Majesté.²³

C'est immédiatement à la suite d'une déclaration aussi précise que l'est [51] celle-là qu'il entreprend de faire la critique la plus amère des opérations de ce même Gouvernement Sicilien, et il finit dans son avant dernier paragraphe par inviter indirectement la nation à la révolte en faisant connaître d'avance que si le cas arrivait les troupes Britanniques

²² 22 July 1811.

²³ Bentinck's mission to Sicily was necessitated by the critical situation which the policy of the court had created. A powerful party of Sicilian barons opposed the unconstitutional taxation imposed by Ferdinand. The irresponsible and foolish measures which the queen inspired equally offended the people of Sicily and the generals of the British army of occupation. Three days only before Bentinck's arrival the five leading barons had been arrested and thrown into prison under disgraceful conditions. (For Belmonte's cell and treatment see his letter to the governor of Favignana, 21 August, 1811, Bianco, *Sicilia*, p. 335). The British agents Drummond and Amherst had, in varying degree, shown themselves incapable of dealing with the difficult diplomatic problem presented by the queen's personality. Only a very strong man could deal with her decisively, and for that reason Bentinck was chosen. He apparently maintained some reserve on his first landing, but the queen read him at once, perceived what he was and why he was come, and felt that a life and death struggle had begun ; hence her natural aversion. Amherst had been relieved in April, leaving Douglas in charge. The text of Bentinck's note of 2 August has been published in Dumas's *Borboni di Napoli*, viii. (vii.) 185-9 ; also Circello's answer. The other notes referred to in the text are unpublished ; they will appear in due course with the appendix to Queen Mary Caroline's memoir.

en résteraient spéctatrices bénévoles, sans prêter à la Cour la moindre assistance pour réprimer le désordre. Je n'entreprendrai point ici d'analyser cet office, auquel, ainsi qu'aux deux suivants, je me suis borné à faire quelques notes pour opposer la raison à l'extravagance, et j'y renvoie les lecteurs qui sentiront aisément à quel point il est absurde et incendiaire.

Lord William réunissait à la qualité de Ministre du Roi d'Angleterre celle de Commandant Général de l'armée Britannique en Sicile et, sous prétexte d'aller se faire reconnaître comme tel, il partit pour Messine ou il ne fit qu'une très courte apparition, puisqu'il en fut de retour le 18 Août; mais il y laissa des ordres pour y ourdir une trame peu digne d'un homme délicat et comme elle n'eut son effet qu'en Décembre suivant je ne la développerai qu'à l'époque ou elle fut connue.²⁴

Le Marquis de Circello sachant Lord William absent, ne s'était pas pressé de lui adresser la réponse qu'il devait à son bizarre office du 2; mais instruit de son retour, il la lui fit remettre le jour même de son arrivée.²⁵

Lord William, sans prendre connaissance du contenu très sage de la réponse de Mr. de Circello, notifia d'abord verbalement à ce Ministre la résolution ou il était de repasser en Angleterre pour y demander de nouvelles instructions. Non content de cela, il confirma cette résolution par une note du 19 dans laquelle il assure avoir cherché d'éviter de faire aucune offense et d'encourager par des faits ou des communications d'aucun genre le mécontentement existant.

[52] Il est néanmoins de notoriété publique, que la maison de Mylord pendant le peu de jours qu'il avait passé à Palerme, était devenu un antre de factieux de toutes les classes, auxquels il faisait lire ses offices, et qu'il avait eu plusieurs longs entretiens avec Mr le Duc d'Orléans, à qui certainement il n'en avait pas fait un secret.²⁶ On verra même dans la suite, par les aveux de Mylord, qu'il avait dans ce Prince une telle confiance, qu'il lui montrait jusqu'à ses instructions et rien ne prouve mieux la connivence qui régnait entre S. A. S. et lui.

Quand un Ministre a notifié aussi séchement que l'avait fait Lord William sa résolution de quitter la Cour auprès de laquelle il réside sans en donner pour motif un congé de la sienne, on ne doit raisonnablement plus s'attendre à lui voir faire des offices. Cependant le lendemain de celui par lequel il avait annoncé son départ, c'est-à-dire le 20, il en parut un autre par lequel il prenait enfin connaissance de la réponse que le 18 Mr de Circello avait faite au premier, et sans doute ou il ne l'avait pas

²⁴ This was the second Messina conspiracy, with which Bentinck had in reality little to do, and on which the memoir throws a good deal of light.

²⁵ This is far from candid. On 8 August Mary Caroline wrote to the prince of Butera, 'Siamo attendendo lo sviluppo delli affari Inglesi e delle domande, progetti, idee dell ministro Generale Benting' (*Arch. Stor. Sicil.* N.S. ii. 432). The court was merely trying to gain time.

²⁶ The general trend of the evidence would seem to show that while Bentinck received freely and stated his sympathy for the barons' party plainly he did not in any way encourage sedition. He conferred several times with the duc d'Orléans, the only moderate and enlightened member of the royal family, and probably did discuss the situation with him quite frankly, a natural enough thing under the circumstances.

lue, ou il ne l'avait pas comprise, puisque dans ce dernier il revient encore sur l'éternel reproche qu'il faisait à la Cour de n'avoir eu nul égard aux avis et aux désirs du Parlement, tandis que le Ministre du Roi lui avait démontré jusqu'à l'évidence que le Parlement non seulement n'avait rien témoigné de tout cela, mais qu'encore il n'avait pas le droit de donner des conseils à S. M. ; qu'en outre il était absurde de prétendre regarder comme le corps entier quarante trois individus ²⁷ qui n'en formaient pas même la dixième partie, et Mr de Circello avait pu ajouter qu'aussitôt que ce corps était dissous, la constitution défendait expressément aux membres qui l'avaient composé de s'assembler pour délibérer sur aucune affaire politique. Mais comme Mylord avait pris le parti de soutenir [58] cette mauvaise thèse, une raison de plus ne lui aurait pas fait impression, et vouloir lui persuader qu'il avait tort eut été prétendre blanchir la tête d'un nègre à force de la savonner.

On remarquera que le style de ce troisième office est tellement impérieux qu'assurément jamais la plus grande Cour de l'Europe ne s'en est permise un semblable, même vis-a-vis la République de Lucques, et il ne l'avait sans doute employé qu'en raison de ce qu'il s'était aperçu que c'était la manière d'en imposer ; ²⁸ cependant avec un peu de réflexion on aurait du conclure d'une pareille inconséquence, que Lord William, n'étant pas bien sur de son affaire, avait peut-être changé d'avis et voulait renouer la négociation qu'il avait rompue si brusquement, en n'annonçant son départ que pour effrayer la Cour ; il eut donc été convenable de lui répondre qu'il était bien le maître de quitter Palerme, mais que s'il y revenait, le Roi regardant sa mission comme terminée et ne le reconnaîtrait plus en qualité de Ministre de S. M. Britannique.

Il est plus que probable qu'un tel acte de fermeté, auquel il ne s'attendait pas, lui aurait fait faire des réflexions, et qu'il aurait ajourné son projet ; car il ne faut pas s'y tromper, dans ces sortes de cas c'est toujours la faiblesse qui perd les affaires ; on la colore, à la vérité, par le nom de prudence, mais un homme aussi audacieux que l'est Lord William ne confond pas l'un avec l'autre, et plus on file doux avec lui, plus on aurait son insolence. On le laissa donc partir et on eut tort. Il fit voile pour l'Angleterre le 4 Septembre

²⁷ Forty-five was the actual number of barons who signed the protest against the taxation edicts of Ferdinand. They were nearly all those present at the time in the city of Palermo.

²⁸ Yet the queen writes to Butera, 18 August (? September) 1811, 'Bentinck e partito senza domandare niente . . . Confido alla ostra prudenza quest officio, litteralmente da me copiato . . .' (*Arch. Stor. Sicil.* N.S. ii. 488).

Reviews of Books

Studies of Roman Imperialism. By W. T. ARNOLD, M.A. Edited by EDWARD FIDDES, M.A. With Memoir of the Author by Mrs. HUMPHRY WARD and C. E. MONTAGUE. (Manchester: the University Press. 1906.)

The Roman System of Provincial Administration to the Accession of Constantine the Great. By W. T. ARNOLD, M.A. New Edition, Revised from the Author's Notes by E. S. SHUCKBURGH, Litt.D. (Oxford: Blackwell. 1906.)

No reader of the *English Historical Review* will need to be reminded of the debt which is due to the late W. T. Arnold for the thoughtful and learned reviews of books relating to Roman history and antiquities, such as Mommsen's *Provinces* or Ramsay's *Church in the Roman Empire*, which he contributed to its pages from 1886 to 1895. They were models of what such notices should be, and the criticisms contained in them have been found to possess a permanent value. Arnold died in 1904, after eight years of struggle against disease and pain. It had been his desire to write 'an accurate modern book' on the government of the Roman empire—the subject which, amid so many varied interests, was always nearest to his heart—but the fulfilment of this wish was denied him. In 1879 he had won the Arnold Prize at Oxford with an essay on Roman Provincial Administration, and he never ceased to collect material for a new edition of this book. At the same time he began to write a work on the Principate, of which but a few chapters were completed at his death. His representatives determined to give the result of his labours to the world, and to their decision we owe these two volumes.

The first contains an excellent memoir of Arnold, two-thirds of which is written by his sister, and the remainder by Mr. C. E. Montague, his colleague on the staff of the *Manchester Guardian*. For Arnold was by profession a journalist—and, indeed, one of the first of journalists—perhaps the most brilliant member of the staff of a newspaper which, by its devotion to literary ideals, has reflected lasting honour on the English press. The memoir tells us something of the way in which Arnold applied to journalism the methods of scholarship; it also reveals, what was probably unknown to many even among the well-informed, the wide range of subjects upon which he could speak, if not as an expert at least as a qualified critic of expert work. His intimate acquaintance with French literature and French men of letters stood him in good stead, for

it kept him free from the pedantry and obscurity which beset the student of German *Fachleute*. Arnold could, indeed, never fall into the sin of pedantry, for the political interest was always dominant with him even when he trod the bypaths of ancient history. The chapters which are here printed are marked by that independence of thought and lucidity of statement which were their author's chief gifts. At the same time it is to be doubted whether it was entirely wise to publish what is after all but a fragment of the work which Arnold designed, and moreover a fragment which he himself would have subjected to a close revision had health permitted it. For it became impossible for him in his later years to keep abreast of the literature dealing with his theme, and no one was more keen than himself to detect any failure to note the latest discovery of importance, whatever the subject of discussion. It is true that the chapters have been edited by Mr. Fiddes, but he has limited his function to the provision of occasional footnotes in correction of the text, and that in but a few of the cases where they were needed. It would have been better to revise the text carefully, making the slight alterations necessary from time to time. For example, no editor should have failed to correct the statement that the *auxilia* 'were exclusively under the command of ex-centurions of equestrian rank' (p. 74), or to note that the Pantheon had been proved to date from the time of Hadrian and not from that of Agrippa (p. 177). Again, the author refers, in a footnote to p. 280, to 'the interesting inscription of Bellicius Sollers (Henzen, 6912).' This extremely important inscription should now be described as *C.I.L.* iii. 6818; it has been shown that the person whose *cursus honorum* is there given was named Sospes, not Sollers. In another respect too the editing of the book is at fault. Misprints are far too frequent. Errors in Greek accentuation occur in a large percentage of quotations, and we have such slips as 'Gaius Gracchias' (p. 80), 'quiritian' ownership (p. 99), 'repetition' (p. 178), 'De Communi Asia (sic) Provinciae' (p. 225), among a host of others. On p. 29, line 8, it is evident that the sense is incomplete, a sentence having been omitted, perhaps in the author's manuscript.

It is not necessary to speak at length of the subject-matter of these chapters. They deal with a part of the work of Augustus, and in form are neither systematic nor wholly chronological, although those concerned with provincial organisation and foreign policy are arranged, as far as may be, to correspond with the order of time in which Augustus attacked the problems presented to him. Four of the chapters treat of the constitutional aspect of the Principate and of domestic policy; these are very readable, and contain some excellent criticism, e.g. of the relation of Agrippa to his master. The remaining chapters throw a bright light on some corners of the empire, but, in spite of some brilliant patches of local colour, do not give a finished picture. Doubtless Arnold would have made many changes in the disposition of his materials had he lived to complete the work. Thus an enumeration of the main sources of revenue under the Principate is casually introduced in the chapter on Spain.

The essay on Roman Provincial Administration, which had long been out of print and difficult to procure, was revised from the author's notes by Dr. Shuckburgh, who died before the appearance of the new edition, but had already read the proof sheets. His task was not an easy

one, for it was clearly not within his province to rewrite the essay with the aid of the materials collected by its author; yet Arnold himself would have been the last to desire that an account of the Roman provincial system written in 1879 should be reissued in 1906 without reference to the great mass of evidence, together with the literature devoted to its elucidation, which had accumulated in the meanwhile. Dr. Shuckburgh contented himself with expanding the footnotes, by selecting the most important of the new references added in manuscript by Arnold, and correcting obvious errors; it was only in rare cases that a paragraph was added or rewritten. This was probably the only course which was open to him, but the result is to leave the book as a whole very much as it originally appeared—apart from the somewhat fuller illustration of the text by footnotes—and thus the work of a host of scholars is passed over. The most striking example of this is to be seen in the bibliography (pp. xii–xiv). The list of the books prefixed to the first edition was, of course, out of date; Dr. Shuckburgh states that he added the names of a certain number of the books since consulted by Arnold, and a few others useful to the student. It must be a matter of regret that the new bibliography does not contain such names as those of Bryce, Dessau, Domaszewski, Furneaux, Greenidge, Haverfield, Mitteis, Nissen, Rostowzew, Rushforth, Schulten, Tissot, and Wilcken, to mention no others, the more so as some of these authors are cited in the body of the work, where such references as ‘Dessau, 1454,’ or ‘Rushforth, 28,’ certainly needed explanation for the benefit of many of those into whose hands the book will fall. How far these omissions may be due to the fact that Arnold was unable in his later years to keep in touch with the progress of study it is hard to say; but it seems likely that his editor was guilty of a certain lack of thoroughness; for similar phenomena may be observed in the footnotes. It will not be necessary to go further afield than p. 14, where, in a note on the relations between Rome and Parthia, though a reference to Mommsen’s *Provinces* is added, we are still directed to the summary by Messrs. Church and Brodribb, with no allusion to Mr. Furneaux’s chapter in the second volume of his *Tacitus*, to say nothing of Mr. B. W. Henderson’s treatment of the subject. We seek in vain, too, for guidance with regard to the changes made by Diocletian in the system of taxation and the coinage, about which much that is of the highest importance has been written of late years; and the bibliography of the *Edictum de pretiis rerum venalium* given on p. 191, note 2, is lamentably incomplete. It is likewise to be regretted that Dr. Shuckburgh did not see his way to modernise the references to standard works. Thus the citations of Marquardt’s *Staatsverwaltung* are allowed to remain unaltered, although the later edition of the work is that used by practically all students, except that in one or two cases we are referred to the French translation. Finally, the correction of errors, whether in form or substance, is not thoroughly done. In the short space of ten pages we note the following: p. 175, ‘A.D. 268’ for ‘A.D. 286;’ p. 180, ‘Rhône’ for ‘Rhine;’ p. 182, ‘Dahram II.’ for ‘Bahram II.’—these three are, of course, misprints—and, worst of all, p. 185, ‘Tiridates died after a long reign king of Armenia. No Persian war occurs again till Julian.’ The protracted warfare waged by Constantius against Shapur II is entirely

ignored. One more instance may be quoted. On p. 129 we read that the prefect of Egypt was 'of equestrian, and not the highest equestrian, rank;' in point of fact the *praefectura Aegypti* ranked with the *praefectura praetorii* as the crown of the equestrian career.

It is a painful duty to call attention to these defects of editing, which will indeed do no injury to Arnold in the eyes of scholars who can appraise his work at its true value, but must impair the usefulness of his writings to the larger public.

H. STUART JONES.

Persecution in the Early Church. By HERBERT B. WORKMAN, M.A.,
Principal of Westminster Training College. (London: Charles H. Kelly. 1906.)

THE author of this book, who is already favourably known through his work on later periods of church history, has taken the opportunity afforded him by the Thirty-sixth Fernley Lecture of expanding the lecture actually delivered into a study of the whole subject of persecution in the early church. The volume accordingly covers much the same ground as M. Allard's recently published work on Martyrdom, though with differences characteristic of the two writers. It may be said at once, without any offence to Dr. Workman, that his writing lacks the charm of style which seems almost inevitable in a Frenchman: where, however, critical questions are involved the advantage rests with the English scholar, whose sound judgment removes him as far from M. Allard's excessive adherence to tradition as from the scepticism of Père Delehaye.

The subject of persecution and of martyrdom (for it is hard to separate the two aspects of the story) seems to involve two moral questions: the one, whether persecution can ever be justified; the other, as to the exact value of martyrdom as evidence. To the former of these questions Dr. Workman supplies an answer in the second chapter of his book, headed 'Caesar or Christ.' The persecution of the early church by the Roman empire was, as he shows, due to political and not to religious reasons. The conflict was inevitable: Christianity was reckoned by the imperial authorities as an anarchical element in the state, and this estimate involved its suppression. It can no longer be supposed, as the Christian apologists were, naturally enough, inclined to argue, that persecution was due to the worst emperors. On the contrary, the clearest sighted emperors of the third century were those to whom the destruction of Christianity appeared most necessary. However much they may have deprecated the disorderly outbreaks which generally attended the execution and sometimes supplied the place of the imperial decrees, their sympathies were bound to be rather with the mob than with its victims, and Christians could not reasonably look for protection from the officers of a state of whose fundamental principles their own were ultimately destructive. It is possible to make an excellent defence for the behaviour of the imperial authorities, and this defence is clearly set out by Dr. Workman. But it follows that this imperial persecution, being based only on political grounds, can afford no direct precedent and supply but little aid towards solving the far more difficult problems which are raised by the definitely religious persecutions of later times and may be con-

sidered to be still with us, at least in a modified sense. There is much to be said for the view that, granting the truth of religious belief, it is easier to justify persecution than toleration, and that 'sceptical arguments in favour of moderation about religion are the only conclusive ones.' How difficult the question is can be seen from the well-known correspondence between Dr. Creighton and Lord Acton, and it requires a much more detailed and impartial examination than it has yet received. But in the present connexion it merely concerns us to notice that the problem is essentially a different one from that which affects the relation between the Christian church and the Roman empire.

To the second main question—that of the value of martyrdom as evidence—Dr. Workman suggests an answer in his last pages which, if it is rather indefinite, is at least free from any logical flaw. He does not draw any such unfortunate distinction as that with which M. Allard has familiarised us between witnesses to a fact and witnesses to an idea. No one can testify even by his death to anything except the strength of his conviction that a certain belief which he holds is true. It follows that, as Dr. Workman says, 'the argument, historically considered, is not perfectly sound.' Many men must have suffered death in support of beliefs which most of us regard as at least partly untrue. The reflexion is a saddening one; but it does not diminish the value of martyrdom, either as a stimulus to moral ideals, or as a testimony to the overwhelming force of real religious conviction. It is hard for any impartial critic to put aside altogether the cumulative evidential effect of martyrdom during the period with which this volume deals. It may be possible to discount the example of the greatest saints: these are the cases of religious genius, which no more supply a standard for the average man than do those of intellectual or aesthetic genius. But what is to be said of the many ordinary men and women, often of low origin, with no ancestral tradition of fearlessness to help them, generally deprived of any hope of even that strange kind of notoriety that could reconcile a Peregrinus Proteus to his fate? It can hardly be doubted that the Christian apologists were right in pointing to the evidential value of this testimony, and, whatever light may be thrown by psychology on the character or varieties of religious experience, it is difficult to maintain, for any one who has studied the facts, that this testimony has nothing to teach us now.

These two main questions can only be answered satisfactorily when the details have been carefully collected and criticised: it is to the examination of the details that Dr. Workman's attention is chiefly directed. In his first chapter he dwells on the trial of our Lord, regarded as the prototype of all the subsequent martyrs' trials. After discussing the inevitable antithesis of 'Caesar or Christ,' he proceeds in the third chapter to examine the causes why the Christians were hated. In this part of his work, which is the best both in logical arrangement and in clearness of writing, the author enumerates seven causes in all, ranging from the antipathy of the Jews and the practical difficulties in the army or the household to the suspicions caused by misunderstanding of the sacraments, or by Christian views on exorcism or on property. The fourth chapter deals with the great persecutions historically, and the last—which

contains the greater part of the lecture as originally delivered—with 'the experiences of the persecuted.' There are full notes throughout, and nine Appendices discuss at greater length matters which could not be compressed within the compass of a note. The author apologises for introducing into his notes subjects which may be regarded as not strictly relevant: he does this in the hope that some students may work through the points suggested in the notes, and there can be no doubt that those who will follow this advice will derive much benefit from it.

The book accordingly contains a large amount of detail: as it deals with the subject as a whole more fully than any English work, it may be expected to reach new editions, and detailed criticism may not be out of place. There are some passages where Dr. Workman's English is not happily phrased, and may be actually misleading. On p. 25 Dr. Workman tells us that Herod 'would have seized St. Peter, whose time, however, was not yet come,' giving a reference to Acts xii. On p. 98 the first sentence of note 8 might with advantage be rewritten. 'The England of the early Wesleys' (p. 128) does not sound well. The last sentence of note 2 on p. 257 is hardly clear. The language of p. 262, n. 2, p. 302, n. 1 (as to the legend of Agnes), p. 313, n. 2 (on the Codex Bezae) is liable to mislead owing to its brevity. On p. 366 we are told that 'Sulpicius Severus, in spite of his indebtedness to Tacitus, as Bernays has shown, is too late an authority to be relied upon.' The inexperienced student might ask whether Bernays has proved the indebtedness, or has insisted that the evidence of the later writer is useless. It may be suggested that the notes would gain in value throughout if they were less abrupt and fragmentary in style. Misprints are unfortunately rather common. The student may be glad if his attention is drawn to a few important ones. On p. 190 (l. 4 of the notes) for 'citionis' read 'coitionis,' and in the following line, for 'cruenda' read 'eruenda.' On p. 206 (l. 24 of note), the reference should be to App. B (p. 361). On p. 360 (l. 21) for 'c. 170' read 'c. 250.' (The date of Dionysius of Corinth has been here accidentally substituted for that of Dionysius of Alexandria, and the reference for the former in the index should be to p. 362, not p. 360.)

In a few places the author seems to be inconsistent with himself. Thus, on p. viii. he refers to a qualification in his acceptance of the views of Mommsen on the legal question: App. E deals with the matter, but does not appear to mention any such qualification. The phraseology of note 3 on p. 278 hardly agrees with p. 366. Page 221 favours the later date for Minucius Felix, p. 332 the earlier. Page 206 favours the late date for the letter of Clement of Rome; the chronological table (p. 374) gives the early date only, though with a mark of interrogation. The language of the entry in the chronological table under the head 'c. 50' does not quite agree with p. 108, n. 4. Occasionally doubts may be felt as to Dr. Workman's renderings from Greek or Latin. Does *Anaphora Pilati* really mean 'The giving up of Pilate' (p. 20); or is *Anaphora* equivalent to *relatio*? Why does Mr. Workman explain ἡγούμενοι in 1 Clem. Rom. 5 of the 'assessors' (p. 37), or ἡγεμόνες in Matt. x. 18 of *procurators* rather than 'rulers' generally (p. 49)? As a translation of 'propter lineas comparandas,' Dr. Mason's 'to get some shirts,' though

possibly inelegant, seems more likely to be right than Dr. Workman's 'over a question of boundaries' (p. 274).

It may be permissible to suggest some desirable additions. Dr. Workman names 'a charge of *maiestas*' among those which were brought against St. Paul. The grounds for this view are not obvious from the text of the Acts, and the author should have given a reason. On p. 216 (n. 8) it might have been well to indicate by a word or two that the characters given by Julian to nearly all his predecessors are severe, and not that given to Hadrian only. On p. 223 (n. 2) a reference may now be added to the translation by Mr. John Jackson (Oxford, 1906); on p. 289 (n. 8) to the study of Julia Mamaea by Miss M. G. Williams,¹ and on p. 264, to Mr. Anderson's discussion of the phrase *τὸν θεὸν οὐ μὴ ἀδικήσεις* in *Aberdeen University Studies*, xx. 208. Note 2 on p. 244 might be rewritten with advantage: it looks at present as though *pusilliores* were the Latin for 'notable citizens.' On p. 889, n. 4, a reference might be given to App. D (p. 865, l. 4). On p. 849 the argument would not suffer if an allusion were made to the heroism of Epicharis, the *libertina* involved in the conspiracy of Piso.² App. A might include a note on Colossians and Ephesians, explaining the references on p. 48 and elsewhere. On p. 860 Dr. Workman bases part of his argument on views as to the distinction between elders, teachers, &c., in the early church which have not yet won general acceptance; it would be an advantage, therefore, if he gave his reasons for agreeing with them instead of references to other writers only. On p. 88, n. 2, the student might like to be referred to Dr. Greenidge's articles in the *Classical Review*, viii. 142, x. 225.

Three points are important enough to justify rather fuller discussion.

(1) In Appendix B Dr. Workman rejects the view of Schwarz and others that St. John the Apostle was put to death in 44. He admits candidly that there are some difficulties in the traditional opinion. The language of 1 Clem. Rom. 42, 44, even if the letter was written during the reign of Domitian, does not appear to present very serious difficulty: it was written from Rome to Corinth, and those churches might well have thought of the Apostolic age as already over, although St. John was still living at Ephesus. The silence of Ignatius may possibly be explained by the fact that his own journey presented obvious parallels to that of St. Paul, but did not suggest any occasion for a mention of St. John. The passage cited by Eusebius from Polycrates of Ephesus is undoubtedly hard to interpret with certainty; yet it does not seem to tell in favour of Schwarz in any case. But if the whole weight of the argument has to be borne by the statements of Philip of Side and of Georgius Hamartolos, it would seem that we must reject, not only the conclusion drawn by Schwarz, but also the theory of Dr. Workman that there perished with St. James 'a disciple of our Lord belonging to the highest caste in the hierarchy, who bore the somewhat common name of John' (pp. 25-6). The confusion presupposed by the failure to distinguish between this unknown disciple and the son of Zebedee, the silence of Acts on the death at this early date of a prominent follower of our Lord, and the grave doubt whether Papias—if the information really comes from him—is a

¹ *University of Michigan Studies*, 1904.

² *Tac. Ann.* xv. 57.

trustworthy witness, combine to leave at most a bare possibility in its favour.

(2) Dr. Workman rejects the tradition of St. Paul's journey to Spain (p. 86, n. 4), and it certainly cannot be argued that the journey is a certainty. But some of Dr. Workman's arguments are not convincing in their present brief form, and it would be interesting to see them developed more fully. The silence of St. Paul in Philippians and Philemon is unimportant: the apostle's approaching journey to the east would interest his correspondents, while they could hardly be expected to feel an equal interest in his visit to Spain. The Pastorals afford no positive evidence, whatever interpretation be put upon 'Galatia' in 2 Tim. iv. 10: but they are so clearly occasional, and the historical material contained in them is so fragmentary, that they cannot be more than neutral. The silence of Eusebius is a small matter when the west is concerned, even when, as here, it is reinforced by that of Origen, and when the historian could hardly have failed to give the information if he had possessed it. Local traditions of the apostles are so unaccountable that no stress can be laid on their presence or absence in a given case. There remains the expression of Clement of Rome, τὸ τέρμα τῆς δύσεως, to which Dr. Workman attaches little importance owing to the rhetorical character of the passage. But it is difficult to see how any one writing from Rome could have described Rome itself as 'the bounds of the west.' If the passage is to be treated as containing no evidence in favour of St. Paul having travelled to some part of Europe west of Rome, this can only be done by dwelling on the possibility of a mistake after thirty years' interval (or longer, if the later date favoured by Dr. Workman be accepted), and not on 'the results of Roman rhetorical education,' which appear to be irrelevant in this connexion. We may also add the statement of the Muratorian Canon, whatever it may be worth, to which Dr. Workman does not allude.

(3) The discussion of our Lord's trial leads Dr. Workman to pass an unfavourable judgment on the conduct of Pilate and on the defence of that conduct by Sir J. Stephen (pp. 17-18). It may be doubted whether the account given by Dr. Workman justifies his criticism. In attempting to form an opinion on Pilate's behaviour in this matter it is useless to go outside the Gospel narrative, since the other evidence, though it may dispose us towards an unfavourable view, is consistent with the governor having been just in dealing with this particular case. The Gospels do not enable us to make a hero of Pilate or to acquit him of weakness. They do not enable us to suppose that he regarded the insulting treatment of a Jewish prisoner or even his death as a matter of much moment: nor should we expect either his opinion or that of far better Roman governors to have been different. His chief duty was to keep the peace among the very turbulent populace of Judaea, and he felt obliged to satisfy the mob somehow. We may suspect that he would have been prepared, if need be, to appease the people by a far greater sacrifice of abstract justice than the death of one religious enthusiast would have appeared to him to be. But the story, read without prejudice, suggests that he was aware of the innocence of Christ, and that he made numerous efforts—some of them perhaps undignified, some involving departures

from consistent justice—to show the Jews that their conduct was unreasonable and that the prisoner deserved acquittal. He preferred sacrificing Christ to running the risk of setting the whole of Jerusalem aflame with sedition: he was wrong, but our condemnation must be limited to the exact measure of his error. Sir J. Stephen, in the passage to which Dr. Workman refers, urges us to judge the matter from Pilate's point of view, using the analogy of our own governors in India. Perhaps he adopts a 'utilitarian' criterion; but utilitarianism in the widest sense is hard to avoid in forming political judgments. Dr. Workman's objection may possibly be to particular expressions used by Sir J. Stephen; but the language of his note is certainly open to criticism.

Some apology may be needed for the detailed and hypercritical character of these remarks. It is impossible to judge except by a high standard a book which, like this volume, contains a real contribution to its subject.

P. V. M. BENECKE.

Die älteren Beziehungen der Slawen zu Turkotataren und Germanen und ihre sozialgeschichtliche Bedeutung. Von J. PEISKER. (Stuttgart: Kohlhammer. 1905.)

THIS notable book describes the tragedy of the Slavs. It will revolutionise current ideas as to their early history. The main thesis is that the peculiar social and economic conditions of the ancient Slavonic peoples were determined by their subjection to Turco-Tataric nomads, who did not live permanently in their land (in early times) but, in the phrase of Fredegarius, *hiemandum annis singulis in Sclavos veniebant*. Their fundamental differences from the Germans were not due to racial causes but to the circumstance which furnishes the key to their history. Originally they were, like the Germans, graziers and breeders of cattle; it was the effect of their servitude to successive nomad masters that they became vegetarians and ceased to drink milk. This condition of the Eastern Slavs is noticed by Constantine Porphyrogenetos in a passage which has not received due attention (*De Adm. Imp.* p. 69, ed. Bonn): *ἐπεὶ μηδὲν τῶν προσηρμένων ζώων* [cattle, sheep, horses] *ἐν τῇ Ῥωσίᾳ καθέστηκεν*: the Russians buy them from the Patzinaks. This passage illustrates the remarkable fact that the Slavs borrowed from German neighbours words for 'milk' and 'cattle,' as well as for 'plough.' The breeding of cattle had been rendered impossible by the systematic plunder of the nomads, to whom the Slavs were exposed, without refuge or help, on account of their geographical position. Peisker gives an admirably realistic account of the life and methods of the Turco-Tatars, and draws an instructive parallel between the position of the Iranian Tajik in Central Asia and that of the Slav in Europe. New light is thrown on the Scythians of Herodotus. Peisker is able to show not only the historical significance of the distinction between the *Σκύθαι νομάδες* and the *Σκύθαι γεωργοί*, but also why the Scythian women and children lived in waggons, though the men were horsemen, and why the men did not use water for bathing, while the women had no such scruples (Herodotus, iv. 75). I may observe that this interpretation of Slavonic history puts a new complexion on the appeal of the Eastern Slavs to the Varangians recorded in pseudo-Nestor.

A few certain loanwords for which the Slavs were indebted to the Germans are West-German in form. This fact enables Peisker to revive the idea that the Slav word for 'German,' *něm'c*, is not to be derived (with Zeuss) from *nēm* 'dumb, inarticulate,' but (with Arndt) from the German *Nemetes*, who in historical times lived in the region of Speyer—an etymology which Šafarik said he would accept if he could find any evidence that the Nemetes had ever lived near the Slavs. The point is interesting, but it cannot be decided. But the proximity of the Slavs to some West Germans supplies a datum for the prehistoric map of Central Europe. Peisker investigates at length the conditions which ensued on the German colonisation of Slavonic lands, especially of Styria, for which he analyses the data of the *liber predialis* of 1809 and other documents. His research into the *Župa* system is especially important. It is shown that in the Slavonic *Vorzeit*, whenever non-Slavonic masters settled, for some reason, in the land which they had brought under their yoke, pasture districts were formed which were called *Župas*, and a *Župan* was a member of the ruling class in a *Župa*. Such were the *Ζουπάροι γέροντες* of Constantine Porphyrogenetos. Carefully to be distinguished is the later meaning of *Župan*, which was a consequence of German colonisation. This *Župan* was the headman of a village (*magister villae*), and had no rights of property in the land.

Peisker's book destroys the results of Lippert's *Sozialgeschichte Böhmens*. He would have done well to add in an appendix a brief account of the exposure of the Grüneberg manuscript, which he has signalised as an obstacle to the right apprehension of Slavonic history. Laskin's worthless book (p. 4) did not deserve his attention. He ought not to have quoted with approbation (p. 141) the groundless conjecture of Zachariä von Lingenthal (thrown out, shortly before his death, in a moment of aberration) that the *Tactica* of Leo VI was compiled by Leo III, a view definitely excluded by internal evidence. J. B. BURY.

Die altirische Heldensage Táin Bó Cúalnge. Nach dem Buch von Leinster herausgegeben von ERNST WINDISCH. (Leipzig: Hirzel. 1905.)

Mélanges H. d'Arbois de Jubainville. Recueil de Mémoires concernant la littérature et l'histoire celtiques. (Paris: Fontemoing. s.a.)

Manuel de l'Antiquité Celtique. Par GEORGES DOTTIN. (Paris: Champion. 1906.)

A Social History of Ancient Ireland. By P. W. JOYCE, LL.D. (London: Longmans. 1908.)

PROFESSOR WINDISCH'S edition of the old Irish romance *Táin Bó Cúalnge* is the fulfilment of a long-standing promise. The delay about its appearance is not surprising when one considers the many difficulties which the editor had to face. Still, it is impossible not to regret that he did not take his courage in his hands somewhat sooner. Irish studies have not yet reached a point when even the most accomplished scholar can hope to publish an edition of any of the more difficult texts that can be considered as really final. Professor Windisch has lost something by his over-caution. His work has to a certain extent been anticipated. Besides

the abstract of the tale made by Mr. S. H. O'Grady for Miss Hull's *Cuchullin Saga*, we have a translation of the *Leabhar na Huidri* recension of the *Táin*, made by Miss Faraday. This work is understood to bear the *imprimatur* of Professor Strachan, who has also edited in conjunction with Mr. J. G. O'Keeffe a complete Irish text of the *Táin* as it is found in the manuscript known as the 'Yellow Book of Lecan.' However, Professor Windisch's book is more complete than any of these, as it contains the Irish text, collated from several manuscripts, a translation into German, a running commentary, and a very full glossary and indices. As an achievement of scholarship it is thoroughly worthy of the author's high reputation, and will no doubt rank as the standard edition.

Although the tale has waited so long for a competent editor, it has always been well known, at least in outline, to those who interested themselves in Irish literature. It is at once the longest and the most famous of the older heroic legends. Although it is only one of many tales of cattle-reaving, such as *Táin Bó Fraích*, *Táin Bó Flidaise*, *Táin Bó Regamna*, it is commonly spoken of *par excellence* as 'the *Táin*;' and native writers like O'Curry regard it as the principal monument of the literary genius of Ireland. It is doubtful whether an English reader, whose taste has been formed on different models, will share their enthusiasm. It is more likely that this and similar tales will strike him as *bizarre* and even grotesque. He does not bring with him the necessary knowledge and sympathy. He has never heard of the personages, and does not understand their individual and tribal relations. The habits of thought and the whole setting of the piece are foreign to him. Most cultivated men are accustomed to the definiteness, the restraint, the essential rationality which the Greek writers first possessed, and afterwards communicated to modern literatures, and will therefore be repelled by all that is fantastic and unaccountable in these legends, and by the enormous exaggerations which continually disfigure the narrative.

But this is not the place to dwell on literary questions, or to show that the *Táin* really does exhibit some genuine epic qualities. For the purposes of this Review its historical value has alone to be considered. To the native critics, to men like O'Flaherty and O'Curry, the *Táin* is a document of real historical importance. 'The chief actors in this warfare,' says O'Curry, 'are all well-known and undoubted historic characters.'¹ This is only what one expects from O'Curry: it is more surprising to find such an authority as Professor Zimmer apparently adopting O'Curry's view, and pouring contempt on those who doubt the historical reality of the chief figures of the Irish epopee. It is true that he qualifies his profession of belief: 'I hold,' he declares, 'Ailill, Medb, Conchobar mac Nessa, and Cuchulainn to be historical personages just as much as Arminius, Dietrich van Bern, and Etzel; and their time is just as definitely determined as that of the [Germanic] kings and heroes just named.'² Yet he refers to and seems to endorse a passage in which O'Curry stoutly maintains that Finn mac Cumail is just as much an historical character as Julius Caesar. What is the value of such declarations? Of course, if anybody choose to proclaim his belief in the real

¹ *Materials*, p. 41.

² *Keltische Studien*, ii. 189.

existence of Cuchulainn or of Heracles, he is free to do so, and it is impossible to prove that he is mistaken: but he has precisely similar grounds for believing in the existence of the Mórrígan or of Polyphemus. It is no more absurd to believe in a giant having one eye in the middle of his forehead and given to devouring strangers than it is to believe in a man of superhuman force and activity having seven pupils in each eye, who shears off the tops of hills with a sweep of his sword. In neither case do the old stories afford one particle of proper historical evidence. It is always possible to argue that the tradition is an accretion of fiction round a kernel of real fact; but to speak as if this were an ascertained and indubitable certainty is to obliterate the distinction between history and legend. It is merely a return to the long-exploded method of Eumerus.

Neither is anything gained by falling back on the authority of the native Annalists. Tigernach (who lived in the eleventh century) certainly mentions Conchobar mac Nessa and Cuchulainn, and synchronises the *Táin Bó Cúalnge* with the death of Virgil (B.C. 19). But his chronology is not even self-consistent, since he counts only ten years from the *Táin* to the death of Cuchulainn, which he places subsequent to the birth of Christ. The discrepancy between Tigernach's reckoning and that of the Four Masters is still more serious. Queen Medb of Connacht, one of the protagonists of the legend, was daughter of Eocho Feidlech, high king of Ireland. The Four Masters do not mention Medb nor any of the other personages of the *Táin*, but they say that Eocho Feidlech died *anno mundi* 5069=181 B.C.: it would therefore be impossible that his daughter should be a comparatively young and energetic woman in the year 19 B.C. And apart from the actual date, there is dissension among the annalists as to the position which the *Táin* should occupy in relation to the series of kings of Ireland. One of the oldest forms of the annalistic record now extant is that contained in the earlier part of the *Book of Leinster*. Here we have this sequence (fol. 28 a):

Eocho Feidlech, reigned twelve years.

Eocho Airem (his brother), reigned fifteen years.

Etírsécl Mór, reigned five years.

(This was the time when Christ was born.)

The (five) Provincial kings, viz. Conchobar mac Fachtna, Corpre Nia Fer, Tigernach Tetbannach, Cúroí mac Daire, Ailell mac Matach.

Nuadu Necht, reigned half a year.

Conaire Mór, reigned seventy years.

Ailell mac Matach is the husband of Medb, who is thus brought within reasonable distance of her father, Eocho Feidlech. Conchobar mac Fachtna (more commonly called Conchobar mac Nessa, after his mother) is the king of Ulster, who is attacked by Ailell and Medb; and he is connected by old legends with the lifetime of Christ. The compiler of this account no doubt regarded the *Táin* as taking place during the period assigned to the five provincial kings. But the order he adopts, though consistent with the data of the *Táin*, cannot be made to agree with the chronology of the Four Masters, nor yet with the sequence of kings given by Tigernach, who makes the partition of Ireland among the

five provincial kings take place after the death of Conaire Mor, son of Etirscél, and allows an interruption of seven years in the series of the kings of Ireland. This interval is reckoned from the death of Conaire, synchronised with the battle of Actium (B.C. 31), to the accession of Lugaid Sriabnderg. According to the Book of Leinster (fol. 23 a) Lugaid reigned twenty-five years (the Four Masters say twenty-six); it follows that he was high king in the year to which Tigernach assigns the *Táin*, B.C. 19. Yet he is not once mentioned in any of the versions of the *Táin* used by Professor Windisch, although four of the provinces of Ireland are making war on the fifth.

It is plain that the annalistic accounts do not yield any consistent framework into which an historical *Táin* can be fitted. The truth is, no doubt, that so far from containing a genuine historical tradition with which the legend can be compared, the Annals draw their materials for this period from the legends themselves. In the form in which we possess them, the Annals are the work of compilers of the eleventh and later centuries. These writers set themselves to construct a continuous history of Ireland, working backwards from their own day. When genuine records failed—and these probably did not extend further back than the fifth, or at best the fourth, century after Christ—they fell back on the legends; these they arranged in an arbitrary sequence, and adjusted them to the chronological framework supplied by Bede or Eusebius. Thus a road was carried through 'the dark backward and abysm of time' to the very doors of Noah's Ark. But difficulties were bound to arise on the way. Although the legends are connected by a very definite logic of their own, and though the relations of the innumerable personages are conceived very clearly, and on the whole very consistently, yet time-determinations are apt to be vague, and make it difficult to construct a consistent chronological scheme. Besides, the annalists were determined to establish a regular succession of high kings with subordinate provincial kings, and it was not always easy to accommodate the legends to this theory. Rival compilers had their different methods of getting over these obstacles: hence the discrepancies which we so often find between the various Annals. The case of the *Táin* is instructive, and it may be worth while to consider it as an example of the procedure employed.

Our starting point will be the figure of Eocho Feidlech, high king of Ireland. Through his daughter Medb he is connected with the *Táin*: through his wife Étaín (some accounts make her his sister-in-law) he is the ancestor of Conaire, and therefore connected with the personages of the *Bruden Dá Derga*, a romance which tells of the fate of Conaire. Now the *Táin Bó Cúalnge* and the *Bruden Dá Derga* (with its introductory tale *Tochmarc Étaíne*) are developed quite independently, and yet are in no way inconsistent. The only direct connexion between the two legends is that the seven Manes, sons of Ailél and Medb, appear in both tales. But when the historiographers of the eleventh century tried to work these two epic narratives into their annalistic framework, difficulties were encountered. If the compiler followed the story of the house of Conaire, he would give the sequence Eocho Feidlech, Eochaid Airem (who is sometimes ignored), Etirscél, Conaire. There was no reason for breaking this order: on the contrary, it was urgently demanded by the

logic of the tradition. The story of Conaire is the nearest approach in Irish legend to the Greek idea of the Ate which haunts a family through successive generations: only that here, instead of an impersonal Fate, the foe is the supernatural being Mider, whose enmity, aroused by Eochó Feidlech (or Eochaid Airem), was finally satisfied by the death of Conaire. Now Conaire was great-grandson of Eochaid Airem or Eochó Feidlech, and consequently was two generations junior to Medb: and he reigned seventy years. Therefore the *Táin* (in which Medb plays a leading part) must be placed either in the early part of his reign or in a previous reign. But if the compiler respected the authority of the *Táin* itself he could not very well take this view. Neither Conaire nor any other high king is mentioned in the *Táin*, except Eochó Feidlech, who is apparently defunct: and the whole action of the story excludes the idea of a high king. This is recognised by the older annalists, who invent a partition of Ireland among the five provincial kings: only they disagree as to the period at which the division took place. The annalist of the *Book of Leinster* (fol. 23 a) quoted above places the reign of the provincial kings between Etirscél and Conaire (Nuadu Necht, who reigned only six months, may be ignored). The objection to this account is that it creates an interval between Etirscél and Conaire, whereas the *Brúden Dá Derga* itself makes Conaire succeed Etirscél immediately. Tigernach avoids this difficulty by placing the partition of Ireland after the death of Conaire; but this, as has been shown, involves an impossibility as to the date of Medb. Tigernach was aware that there was a different arrangement from that which he adopted, for although he synchronises the death of Conaire with the battle of Actium, he has this entry in the reign of the emperor Claudius: *Togail Bruidne da Berga ut alii aiunt (sed certe falluntur) for Conaire Mór: 'the sack of Brúden Da Berga (or Da Derga) over Conaire Mór.'* Similarly, the annalist of the *Book of Leinster* (fol. 23 a) places the reign of the five provincial kings after that of Etirscél, but recognises the existence of an alternative arrangement; for after his notice of Conaire he adds *no combad andso na coicedaig* 'or else it is here the provincial kings should come.' The Four Masters, though they do not mention the provincial kings nor any of the personages of the *Táin*, admit an interregnum of six years after the death of Conaire, so that they evidently adopt Tigernach's arrangement. Keating attributes the fivefold division of Erin to Eochó Feidlech, but does not consider it as implying any breach in the series of high kings.

As to the date assigned by the annalists to the action of the *Táin* it is no doubt determined by the old legend which connects the birth and death of Conchobar mac Nessa with the birth and death of Christ. Professor Windisch indeed doubtfully admits the possibility that this legend may itself be proof of a 'vague historical feeling' as to the period whose conditions are reproduced in the legends. For though the critic summarily dismisses as untenable the notion that the personages are in any proper sense historical figures, he allows a different sort of reality to the cycle of legends to which they belong. Its historical value lies, he says, 'in the representation of the actual conditions of a definite period.' This is no doubt the right point of view to adopt: it gives the heroic tales a

serious interest for history, quite independent of all controversy as to the actual existence of Conchobar, Cuchulainn, Medb, and the other *dramatis personae*. The picture of ancient Ireland presented in the *Táin* has two marks of reality which are wanting to the annalistic compilation. It is self-consistent, and it agrees with such accounts of the Celtic world as we obtain from external sources. These accounts are meagre enough : all the information which can be extracted from them is neatly summarised in M. Georges Dottin's *Manuel de l'Antiquité Celtique*, a book which is characterised by sobriety of statement and clearness of arrangement.

Professor Windisch has devoted twenty pages of his Introduction to a comparison between the descriptions in the *Táin* and the accounts of Greek and Latin writers. The points on which he mainly dwells are the use of the chariot, costume and weapons, the relations of the sexes, the taste for strong drink ; with more trivial details which in their way supply even more remarkable correspondences : such are the use of dogs in war, the custom of setting aside special joints as a prize of valour, the habit of carrying the heads of slain enemies, the apprehension of the sky's falling. In a recent number of the *Celtic Review*, Miss Eleanor Hull has rehandled the same topic, adding some fresh illustrations. The result undoubtedly is to establish the conviction that the legends of the 'Ultonian cycle' describe a condition of society which really existed, and was known to the epic narrator, although he chooses to decorate his theme with grotesque exaggerations. But the arguments by which Professor Windisch seeks to determine his 'definite period' are less convincing. He endeavours to show, and with some success, that the general representation of life and manners in the *Táin* corresponds to the information furnished by classical writers of the first centuries before and after Christ ; and he concludes that the nucleus of the oldest Irish sagas must be assigned to the last centuries B.C., or at latest to the earliest centuries A.D. : *So wird für den Kern der ältesten irischen Sagen gewiss keine spätere Zeit als die letzten vorchristlichen oder die ersten nachchristlichen Jahrhunderte in Betracht kommen*. This seems somewhat arbitrary. Is it certain that the Goidelic Celt was so firmly established in Ireland about the beginning of the Christian era as we find him in the *Táin* ? And if he was, what is there to show that the sagas might not have begun to take shape four or five centuries later ? In the absence of strong disturbing influences from without, the old conditions might very well have persisted—they probably did persist in the main—down to and long after the introduction of Christianity ; so that even if the saga-cycle had originated in the time of Patrick it would still reflect an order of things in most respects analogous to the *Celtentum* which the Romans knew. Professor Windisch himself admits that the version of the *Táin* which he has edited shows marks of Christian influence, and the same is true of the older version in the *Leabhar na Huidrí*. And this influence is betrayed not only by such incidents as the introduction of Simon Magus (p. 355), which might be set aside as interpolations ; it is also implied in the common use of loan-words like *loech* (=laicus), *papa* (=papa), or of expressions such as *co bráth* 'till Doomsday.' Again, the most remarkable discrepancy between the statements of classical writers as to the social order of the Celts and

the life described in the Irish sagas is certainly to be found in the position and functions of the druids. These people, whom Caesar describes as a regular order in the state, and whom Tacitus represents as a formidable body, have in the Ulidian legends sunk to the position of soothsayers, attached generally to the person of some chieftain. They have apparently lost altogether their corporate influence and their priestly functions.³ Is it not probable that this degradation of the druids is due to Christian influences? M. Dottin goes too far when he says (p. 289) that the first apostles of Ireland made it their business to obliterate all trace of the ancient religion: Professor Zimmer has rightly insisted that the early Irish church was tender to the native superstitions.⁴ But it was inevitable that the druidic order should be attacked; until its power was broken, Christianity could not hope to effect a permanent lodgment. The stories of St. Patrick's conflicts with Loegaire's druids may be fictions, but they rest on an essential truth.

It is, of course, possible to argue either that druidism never developed in Ireland as it did on the continent and in England; or again, admitting the degradation of the druids in the Irish sagas, it may be held that this and other symptoms of Christian influence are due to the deliberate editing of older traditions by Christian redactors. But both of these hypotheses are really gratuitous unless it can be directly shown that there are good reasons for believing the sagas not only to have originated before the introduction of Christianity, but also to have assumed a definite and generally accepted form, which was afterwards subjected only to verbal alterations and minor interpolations. And these points cannot be established merely by insisting on what is obvious—the thoroughly pagan character of the life which the tales describe; for that was probably the predominating character of Irish life as a whole long after missionaries began to settle in Ireland. No one is likely to contend for a post-Christian origin of the entire body of sagas; on the contrary, it is natural to believe that oral traditions existed long before the introduction of Christianity. But who can define the exact content of these traditions? Who can guess when and where they first assumed a fixed and uniform shape? When did the poetic faculty cease to occupy itself with the doings of the heroes of the Ulaid? When did the period of invention end? Is it incredible that some at least of the legends may have originated or at least found their final shape in times when Christianity was already changing and softening the older paganism? At any rate, it may be taken as certain that they were first reduced to writing after Christian missionaries had imported the use of the Roman alphabet: if this is granted, it is at least possible that successive redactors may have modified the content as well as the form of the traditions they recorded, introducing into both certain elements that were contemporary, not primitive. Such a gradual process is a different thing from a deliberate revision and expurgation of tales which had won popular acceptance. And if the process was gradual, the final result cannot be

³ This point is made clear by M. d'Arbois, *Cours de littérature Celtique*, vi. 98-106; cf. Dottin, *Manuel*, pp. 286 sq.

⁴ *Zeitschr. für deutsches Alterthum*, xxxiii. 274.

taken as faithfully representing the life of one definite period : certainly not the life of the period to which its earliest elements belong. Whatever view we adopt must depend a good deal on subjective impressions, and it is difficult to feel assured that Professor Windisch has succeeded in establishing for the origin of the *Táin* and for the condition of society therein described a terminus on which further constructions can safely be based.

Instead of speaking of the conditions of life in Ireland about the Christian era it will be safer to speak of the culture of the saga-period, and this term must be given a somewhat elastic connotation. It is much to be wished that some scholar would do for primitive Celtic society what Professor Zimmer in his *Altindisches Leben* has done for the early civilisation of India. M. Dottin's *Manuel* draws together all that can be learnt from external sources, but the information we thus gain is, after all, scanty and vague. What is wanted is a book that will sift the descriptions which are to be found everywhere in the native legends of Ireland, and reconstruct from these the political and social conditions, material and moral, of the saga-period. M. d'Arbois de Jubainville has given us in his *Cours de littérature celtique* a series of interesting essays in this direction, but they do not constitute a complete and methodical presentment of the subject. From native scholars we have had the elaborate work of O'Curry on the *Manners and Customs of the Ancient Irish*, and, more recently, Dr. P. W. Joyce has published two large volumes on *The Social History of Ancient Ireland*. But valuable as is the material which O'Curry collected, his method is entirely uncritical ; and even Dr. Joyce, though his book undoubtedly marks a great advance, has allowed himself to be too much influenced by traditional theories, and has not been scrupulous enough in distinguishing what is genuinely primitive and indigenous from what is due to later times and foreign influence. The consequence is that his book is wanting in historical perspective, and the general impression it leaves on the mind is very different from that produced by a perusal of the ancient tales which should have been his principal documents.

His account of the (so-called) 'Red Branch Knights' is an example of his method. According to him, 'As far back as our oldest traditions reach there existed in Ireland an institution of knighthood.' Boys were knighted usually at the age of seven years. The distinguishing mark of the order was a collar. These knights formed a 'military organisation ;' they 'underwent a yearly course of training,' and 'were at call like a standing army whenever the monarch required them.' This is not a discovery of Dr. Joyce's ; it is a view traditional among Irish writers since the sixteenth century, and will be found in Keating, O'Flaherty, Lynch, O'Curry, &c. The conception has been popularly accepted, and every journalist who writes on Ireland talks largely of the Red Branch Knights. But when we come to examine the evidence collected by Dr. Joyce, we find that the earliest document he adduces in which knighthood is actually named as an Irish institution is the passage in Froissart quoted long ago by Lynch in his *Cambrensis Eversus*. Froissart's authority is an Englishman, Henry Castide, who told him that four Irish kings had refused to accept knighthood from Richard II on the ground that they

had already received knighthood, and that it was the custom for every Irish king to knight his son at seven years of age. Dr. Joyce compares with this story a passage in the *Táin* in which Cuchulainn is represented as receiving his first weapons from King Conchobar at the age of seven years. The coincidence is undeniable; but is it sufficient warrant for transferring the institution of knighthood, with its attendant conceptions, back to the saga-period? If there had really been such an institution in primitive times, it would appear unmistakably in the *Táin* and the other heroic tales. This is not the case. No one who reads these tales with a mind free from preconceptions will ever be led to suspect the existence of anything like an order of knighthood. The so-called knights are simply tribal chieftains who own a loose allegiance to the authority of the provincial king, and gather occasionally on festal or martial occasions at the *Cróeb Rúad*, or 'Red Branch,' the feasting-hall at Emain Macha. There is no trace of anything like an order, with a corporate existence, obligatory vows, gradations of authority, and a regular ceremonial. Only an inquirer who approaches the sagas with a preconceived conviction will render the phrase *rogab gaisced* ('he received weapons') by 'he assumed knighthood;' or describe the *nasc niad* (the 'warrior's ring or bracelet') as 'the distinguishing mark of an order of chivalry.'⁵ As to the story told by Castide, from which the whole fiction perhaps originated, it dates from a period when the idea of knighthood had long been made familiar to the Irish by their English invaders, and they might have copied the institution. But it is much more likely that in their mouths the term was merely a figure of speech, by which they described to the Englishman a native custom. That was certainly how it struck Castide, who by his own account had been the prisoner of an Irish chieftain for seven years, and knew the native language and customs. He speaks with friendly contempt of their 'childish knighthood,' and tells us of the pains he took to expound to them the sage and serious doctrine of chivalry.

The fact is that the native historians have been preoccupied by the desire to find in ancient Ireland not only a high state of culture, but also a political organisation and a national unity which never really existed; they have accordingly done their best to accommodate the descriptions in the old tales to conceptions which belong to a different plane of development. The *Táin Bó Cúalnge*, like the other genuine sagas, shows scarcely any trace of national unity or of anything that can be called a national consciousness. Central authority hardly exists: the very occasion of the *Táin*, the attack made on Ulster by Connacht supported by the other three provinces, is inconsistent with the notion of an effective monarchy. On the contrary, everything is local and tribal: nothing is more characteristic than the recurrent oath 'I swear by the god my tribe swears by.' The relations of the various tribes and peoples are very obscure. An examination of this difficult subject might be very helpful for the understanding of the conditions of the saga-period.⁶ It seems clear anyhow that in the *Táin* we have to do with several non-Goidelic peoples: we

⁵ See Joyce, i. 99.

⁶ Something has lately been done in this direction by Mr. John MacNeill in an interesting series of articles contributed to the *New Ireland Review*.

meet with the Fir Bolg, the Cruthnig (Picts), the Fomorians, the Fir Domnann, besides Saxons and Norsemen. The position of the Ulaid (Ulstermen) is especially interesting: it is evident that the opposition between them and the rest of Ireland was as strongly marked then as it is to-day, and that then, as now, the Ulstermen were well able to fight their corner. Although the saga, as Professor Windisch remarks, seems to have originated in Ulster, and the action passes mainly on the borders of that province, yet Ulster is to the invaders *cóiced n-aneóil*, 'the unknown province' (p. 75). The exact territorial import of the name *Ulaíd* is still undetermined, but it seems to have covered a much narrower extent than 'Ulster' now does: it denoted perhaps only the north-east corner, next to Scotland. It is to be noted that the Cruthnig, or Picts, are twice mentioned, and each time closely connected with the Ulaid; which confirms the view taken by Professor Rhys in his *Studies in Early Irish History*, that the Fir-Ulaíd, or 'true Ulstermen,' were of Pictish origin. It may be remarked that the same scholar, in discussing the name *Ernai* and its cognates, has omitted to quote an interesting passage in the *Táin* (p. 832) where the Ernai are expressly opposed to the Ulaid.

Professor Windisch hardly touches these problems and the related questions of topography, having indeed enough to do with literary and linguistic difficulties. Neither does he deal with another and still more difficult point, which certain passages of the *Táin* suggest. How is the social life here described related to the order of things implied in the corpus of ancient laws of Ireland? Unfortunately the interpretation of the laws is still in the highest degree uncertain. Professor Atkinson's *Glossary* only marks the first step towards the solution of the linguistic difficulties with which they abound. Until more progress has been made along this line it will be impossible to determine how far they are really a native growth springing from the society which the sagas describe, and how far they may have been modified by Roman and Christian influences. That such influences to some extent affected the laws of Wales has lately been shown by M. Collinet in the interesting essay which stands first in a collection of *Mélanges* dedicated to M. d'Arbois de Jubainville, of which we have given the title at the head of this review. It is likely that the native Irish *code* was similarly modified: at all events it may very well have developed between the saga-period and the time (still quite undetermined) when the laws were reduced to regular form. Dr. Joyce habitually speaks as though these laws were in force in their completeness already in the saga period; but this is, to say the least, an unproven assumption. At the same time there are passages scattered about the sagas which show that many of the classifications found in the laws were already recognised in primitive times, such as the distinction between *sáer* and *dder*, free and unfree.⁷ We have in the *Táin* at least the rudiments of an organised society. It is well to bear this in mind lest we should be persuaded by the folklorists to regard the saga-period as wholly primitive and barbaric. Their speculations are full of interest, and many strange usages and beliefs persisted long among the Celts which find their best comment in comparisons drawn from Central Africa or Polynesia. We

⁷ See Windisch, pp. 220-222.

may take as an instance a paper contributed by M. Salomon Reinach to the *Mélanges*, where he ingeniously explains, by the analogy of a Maori tabu, Caesar's assertion that the Gauls do not allow their children to approach them in public till they have reached the age for bearing arms. Only this line of inquiry, suggestive and fruitful as it often is, may come to be as much abused as the solar myths in a former generation. Cuchulainn is not an historical general: neither is he a sun-god, nor yet a totem. He is a legendary hero, the ideal of the Gael at a certain stage of his development. And in order to form a just conception of the phase of civilisation for which he stands, we want to have before us as many of the heroic tales as possible, set forth in their purest form, with all the necessary apparatus of textual criticism, interpretation, and commentary. We shall be fortunate indeed if we can get this done by scholars who are in learning, industry, and judgment the equals of Professor Windisch.

EDWARD GWYNN.

Geschichte der Kriegskunst im Rahmen der politischen Geschichte.
 Von HANS DELBRÜCK. Dritter Teil: 'Das Mittelalter.' (Berlin :
 Stilke. 1907.)

THE medieval section of Professor Delbrück's general history of the art of war is the third solid volume which the author has issued on this subject within seven years. It is a wonderful evidence of Professor Delbrück's vigour, industry, and breadth of vision. His book contains much that is interesting and important. There are many sound particular observations; there are excellent and spirited accounts of many individual battles, and there are so many shrewd statements as to the general features of medieval warfare that no student of the middle ages can fail to derive great advantage from its study. Professor Delbrück always tries to test the accounts of battles and campaigns by the touchstone of military possibility, and his habit of regarding medieval problems from a modern soldier's point of view saves him from the characteristic defects of that of the mere student, and gives a certain freshness and individuality to his whole book. Besides being something of a practical soldier, he is a widely read historian. Setting before himself the ideal of uniting military knowledge with historical criticism, he has undertaken a task of great boldness and complexity, and often with some approach to success. One feature of his book will in particular excite the envy of most English teachers of history. In every part of his work Professor Delbrück's labours have been lightened by the help of his Berlin pupils, to whom he has been able to assign various aspects of his subject to be worked up by them in detailed monographs. Whatever may be thought of Professor Delbrück's own historical theories, he is certainly a most successful inspirer of work in others, and many of the best pieces of his book owe their completeness to the dissertations of his disciples. As a professor, even more than as a writer, he has given a real impulse to the detailed study of medieval military history.

With all its merits, Professor Delbrück's book can hardly be accepted as a definitive treatise on the art of war in the middle ages. He holds a general view of medieval warfare which is more to be commended for its

simplicity than for its exactness. From the days of the Franks to the days of Charles the Bold there was, he maintains, an essential unity of method in all military operations. We all know the 'feudal cavalry' that dominated Western Europe from the eleventh to the fourteenth century. Professor Delbrück pushes back the 'knightly' system to the days of Charles the Great, if not to the *Völkerwanderung*, extends its operations to Byzantines and Saracens, and regards the knightly force (we are not allowed to call it cavalry) as the essential element in all warfare from the establishment of the Carolingian power down to the time when it finally went under before the long pikes of the Swiss in the Burgundian wars. It was a rude system, yet so expensive that armies had to be very small. An army of 'knights' constituted no *taktische Körper*. It was *Einzelkriegerthum*, and each warrior fought for his own hand. There was no discipline, no unity of command, no effective differentiation of various arms. Archers, infantry, and light horse were mere auxiliaries to the knights. Even when the knights dismounted and fought on foot, it made no fundamental difference. During all these eight or nine hundred years there was no essential progress; from the tenth century, when the feudal state was completed, there was no real development at all. The fight at Pillenreuth in 1450 between Albert Achilles and the Nürnbergers, the battle of Monthéry in 1465, were fought by mounted knights, after exactly the same fashion as the battles on the Lechfeld and on the Unstrut. Any deviations from the normal procedure, such as those of the Anglo-Scottish battles or of the Hundred Years' War, were mere accidental peculiarities that soon died away. The innovations at Bannockburn or Courtrai, Crecy or Poitiers, were temporary in character, and did not influence the general development of warfare. In short, military science ends with the Romans and begins again with the Renaissance.

It cannot be said that Professor Delbrück has been successful in proving his theory, though he has perhaps had some measure of success in pushing back the origin of 'feudal' warfare to the Carolingian age, and he has made the best of such continuity of military method as he can discover. But no single set of hard generalisations can be true of so long or of so progressive a period as the later middle ages. Professor Delbrück's abstractions do useful service in forcing us to think and generalise, but they are not broad enough to cover all the facts. Nor does he attempt to grapple with all his material. Unluckily, the thinnest part of his book is exactly that which deals with the period in which, according to common estimates, the modernisation of warfare began. The researches of his pupil, Dr. Wodsak, enable him to give a good picture of the battle of Courtrai, 'the first victory of infantry in the middle ages.' But he makes no attempt to explain the sudden genesis of those Flemish foot soldiers who, tradesmen though they were, were, as the Ghent annalist boasted, *fortes et viriles, bene armati et cordati et expertos gubernatores habentes*. For Bannockburn he relies mainly on Professor Oman, though he shows insight in rejecting the traditional '60,000' of the Scots army on grounds which are analogous to those advanced in Mr. Round's striking paper on Bannockburn, printed in his volume called *The Commune of London*, though apparently Professor Delbrück is not acquainted with Mr. Round's article. But quite un-

convincing is Professor Delbrück's argument that the battle of Rosebeke concluded the chapter of military history begun by Courtrai and Bannockburn. In truth, his method of selecting a big battle here and there and studying it in isolation is not one that is likely to produce satisfactory results. Rosebeke, as well as Courtrai and Bannockburn, are treated as examples of *Phalangen-Schlachten*, *Bürgerwehren* und *Landsturm-Aufgebote*. Yet Morgarten, so similar to Courtrai and Bannockburn, is postponed to a later chapter on the Swiss, because Professor Delbrück imagines a permanence in Swiss infantry tactics that he refuses to see in those of the Scots or Flemings or English. One result of the process is that Rosebeke is disposed of before Crecy, Poitiers, and Agincourt are brought in as examples of fighting with *abgesessene Ritter und Schützen*. Yet Rosebeke would hardly have been a victory for Olivier de Clisson and his knights, had they not assimilated the lessons of Crecy and Poitiers, and met the Flemings with a strong centre of dismounted knights and with horsemen only at the two wings. It would be nearer the truth to say that this method anticipates the battle order of the seventeenth century than to treat it as a new triumph of *Rittertum*.

Professor Delbrück is peculiarly weak on the English side of the subject. For the battle of Hastings he largely relies upon the monograph of Dr. Spatz and shows knowledge of the criticisms of Mr. Round. For the battles of the thirteenth and fourteenth century he is content to repeat what Dr. Morris and Professor Oman have said, though he does not always quite appreciate the doctrines of his guides and very seldom attempts to criticise or check their statements. Thus he seems to misunderstand the permanent effects of Bannockburn in forcing the English to adopt the tactics which first became conspicuous on the continent through the battle of Crecy. Of this fight Dr. Czeppan, a pupil of Professor Delbrück, has recently written an account which is made the basis of the present narrative. It is a good piece of work, though Dr. Czeppan cannot quite be regarded as having settled everything about the subject, as Professor Delbrück seems to think. Only a perfunctory attempt is made to show the genesis of the dismounted knighthood, and Professor Delbrück can never recognise that the system was adopted on military grounds, and not, as he often says, to encourage the weaker fighters on foot by the example of the nobler warriors renouncing the advantage of their horses. Professor Delbrück always tries to minimise the prevalence of the practice of dismounting, and exhausts his ingenuity to find special reasons for its adoption in each particular fight, disregarding altogether the universality of the practice in all Anglo-Scottish wars after Bannockburn, and its general employment by the English in the early fights of the Hundred Years' War, with such success that the French within a few years of Crecy adopted it also.

It is from this point of view particularly unfortunate that Professor Delbrück has paid so little attention to the later battles of the Hundred Years' War. Poitiers has only half a page, and that meagre summary is so carelessly done that he actually tells us *dass der Schwarze Prinz seine Ritter habe zu Pferde steigen*. For Agincourt he relies upon a special investigation of Dr. F. Niethé, which has not yet

been published. The chief point of this version seems to be that, despite the contrary testimony of all the sources, the English enjoyed a numerical superiority over the French. Equally novel and equally unconvincing are the remarks about the tactics of the two sides. To speak frankly, they suggest a profound want of grasp of the whole military history of the Hundred Years' War. After Agincourt the great struggle ceases to exist for this military historian. The battles of Cravant, Verneuil, Patay, Fourmigny, Castillon have no mention at all. The wars of the Roses are most casually treated, and only with the fixed intention of not seeing in them the continuance of the dismounting tradition, which Professor Delbrück wrongly regards as having died out. Certainly there was a revival of cavalry in the later fifteenth century, but this revival was no mere recrudescence of the old *Rittertum*. It is impossible, therefore, to follow Professor Delbrück in refusing to recognise that the great changes of the early fourteenth century mark an essential and permanent development of military science. The *schiltron* of the well-drilled pikemen of Bannockburn, the long line of the Flemings at Courtrai, the dismounted men-at-arms of Crecy, have their place along with the *Gevierthausen* of Morat or Nancy among the starting points of modern military history. The warriors of the late middle ages were not so dull or so ill-disciplined as Professor Delbrück would have us believe. The English won Crecy or Poitiers not by reason of the individual prowess of the single warrior, but because they were better trained, better led, more effective fighting units, nearer approaches to *taktische Körper* than their opponents. Medieval history cannot be successfully written *a priori*, and no horror of *Harmonistik* and love of *Sachkritik* can dispense from the obligation of detailed study, not only of a few big battles, but of the whole course of military history.

Apart from a general overstretching of theory, Professor Delbrück's book also fails in many of its details. I have illustrated already the arbitrary way in which some fights are singled out for treatment while others of equal significance are ignored. It would be easy to draw up a fairly long list of misconceptions as to the details of history from nearly every part of the book, both as regards military matters and still more as concerns the political history which Professor Delbrück narrates to some extent. As examples of mistakes, in relation to English and French history, may be quoted the attribution to King Egbert of the position of first king of all England (p. 75); the ancient view that makes the Capetians 'dukes of the Isle de France' (p. 95); the demonstration *a priori*, on p. 165, of the impossibility of the *Fünf-Hufen-Regel* in Domesday, though there is the evidence of the Berkshire Survey of its existence at any rate in one shire; the misconception, on p. 167, that limits the title 'Lords or Barons' to some forty of the Domesday tenants in chief; the reference to the exploded story of the ennobling of Raoul the Goldsmith by Philip III in 1271 (p. 255), and the generally indistinct impression left by the excursions into political or constitutional history. Positive mistakes of this sort are the inevitable penalty of working through a great mass of secondhand detail, as Professor Delbrück has done, and are not, therefore, to be severely censured. We should rather blame Professor Delbrück for the arbitrariness of his selection of such

fragments of the authorities as make for his side, for the discontinuity of his narrative, for his enormous omissions, and for his looking at the whole of West European military history from a too exclusively Teutonic point of view. This latter is the more unfortunate, as it is not in Germany, but in France and Great Britain that the decisive changes in warfare were first developed. But this natural attitude for a German also furnishes to the book some of the best chapters: notably those on the wars of the twelfth-century emperors in Germany as well as in Italy; the accounts of the conquest of Prussia by the Teutonic Order; the prevalence of *Rittertum* as the basis of the military arrangements of the German free towns; and the story of the Hussite Wars, which include a judicious refutation of the myths long prevalent as to the offensive value of the Hussite *Wagenburg*.

As a whole Professor Delbrück's book is not likely to hold a permanent place in the literature of the subject. It is not the first work that has given us reason to suspect that the time is not yet ripe for a general history of medieval military methods. But when all has been said against it, we must still thank the author for imparting to it a quality that is eminently stimulating and human. Its very defects are provocative of thought and suggestive of inquiry. It may well be that its publication will induce others besides his pupils to examine his theories in detail. It is certain that the writer has already inspired others to work up the many special aspects of the subject. Even as it is, his work will provide materials for further advance, and its limitations spring from the author's bold determination to treat his subject as a whole.

T. F. TOUT.

L'Eglise et l'Orient au Moyen Age; Les Croisades. Par LOUIS BRÉHIER. (Paris: Lecoffre. 1907.)

In many ways this book is the handiest, the most scientific, and the most interesting account of the Crusades. M. Bréhier not only narrates: he also explains and comments; and this gives his book a charm for the ordinary student which the cold and highly rarefied atmosphere of Röhricht's *Geschichte der Kreuzzüge in Umriss* does not possess. Again, M. Bréhier gives a very full and on the whole a very good bibliography of the Crusades. His introduction contains a well-arranged general survey of the literature of the subject, contemporary and secondary; while a note at the beginning of each chapter refers the reader to the particular authorities for the period or subject discussed in the chapter. The fulness of the bibliographical information which he gives is perhaps the outstanding merit of M. Bréhier's book. The one defect of this side of his work is an imperfect acquaintance with English writings and authors. The defect is pardonable: little of value has been written in English on the subject of the Crusades. Yet M. Bréhier gives so ample an account of French and German literature bearing on the Crusades, that he ought in justice to have mentioned the few English books which possess a decided value. One misses particularly any reference to Stubbs's preface to the *Itinerarium* (which, by the way, is imperfectly cited on

p. 117 as the *Gesta Ricardi*¹); nor is there any allusion to Stubbs's lecture on the medieval kingdoms of Cyprus and Armenia. Mr. Stanley Lane-Poole's *Life of Saladin* is not quoted; nor is any of T. A. Archer's work on the Crusades mentioned. On the whole, however, it remains true that the bibliography of this book is full, sound, and useful. It naturally follows on M. Bréhier's wide acquaintance with the literature of his subject that he shows himself thoroughly up-to-date. On a vexed question like Alexius's letter to the count of Flanders he is excellent.

Another quality of M. Bréhier's book springs from the point of view from which it is written. It is a volume in the *Bibliothèque de l'Enseignement de l'Histoire ecclésiastique* (standing side by side with M. Allard's work on *Le Christianisme et l'Empire romain*, or Father Pargoire's work on the Byzantine church); and the author studies his subject, as his title indicates, as a chapter in the relations of Latin Christianity with Asia. Accordingly he begins as early as the fourth century, and discusses the relations of East and West before the Persian invasion of Heraclius's reign; while in his later chapters he is particularly full and interesting on the thirteenth and fourteenth century missions to Persia, Central Asia, and China. In fact, his book is not merely a history of the Crusades: it deals not merely with the hostile contact of East and West, but also with their general relations considered from an ecclesiastical point of view. Hence his work has a wider extension in point of time than histories of the Crusades generally show. He does not, like Röhricht and Kugler, stop at the capture of Acre in 1291; he carries his work to the final capture of Constantinople in 1453. He deals with the fourteenth and fifteenth centuries; he describes the adventures of Peter of Cyprus, and the 'crusades' of John the Fearless and Cardinal Cesarini. Particularly good is his account, in chapter x., of the many pamphleteers who wrote on the Crusades in the first quarter of the fourteenth century—of the various schemes for a new crusade and the reasons why those schemes failed. Along with this wider extension in point of time M. Bréhier has also managed to unite, in this compact little volume of 370 pages, a broad extension in point of space. The effect on the Crusades of the relations of Constantinople with the West is on the whole very well described. The effect of the schism of 1054 on the West is clearly shown; and the causes which produced the diversion of the Fourth Crusade are clearly and dispassionately elucidated.² M. Bréhier has evidently profited by the works of Chalandon and Norden, more especially the latter; and he has also used our English historian, Mr. Pears. But it is not only the Byzantine Empire—it is the whole of the East, so far as it was affected by the Crusades, which comes into the scope of his book, and Cyprus, Armenia, Persia, and even China all find their place in its pages.

A book like this, based as it is almost throughout on original authorities, yet with constant reference to modern writers and modern research,

¹ M. Bréhier does not seem to know Stubbs's edition of the *Itinerarium* at all. He only refers to the 'fragments' of the *Itinerarium* in the *Monumenta Germaniae*.

² But M. Bréhier ought to explain, if only in a footnote, why he, no doubt correctly, exculpates the Venetians, and rejects the testimony of Ennoul and the old dating of the treaty of Venice with Egypt in 1202.

must evidently be a valuable handbook on the subject with which it deals. Unhappily, its value is somewhat diminished by a number of slips. Some of them are clerical errors, as when, on p. 117, *P. Paris* is mentioned as the editor of the *Carmen Ambrosii*, instead of his son Gaston; or as when, again, in the index, Raymundus Lullus is said to be described on pp. 296, 272, instead of pp. 269-272. But some of the errors are more serious. On p. 227 William of Rubruquis is a Dominican friar, while on p. 269 he is a Franciscan. M. Bréhier's dates are occasionally inaccurate. Clement V. was not pope in 1302 (p. 271); the expedition of Sigurd the Jorsalafari did not take place in 1112 (p. 86), but began some years before, and culminated in the capture of Sidon in 1110; and Charles of Anjou was not vicar of Tuscany in 1280 (p. 242), having lost that office in 1278. The statement (p. 350) that *Grégoire VII et Alexis Comnène ont voulu faire concourir des forces occidentales à la défense de l'empire byzantin* is at the least misleading. It was not the treaty of Constance (1188) but that of Anagni (1177) which made peace between the empire and the papacy (p. 118): there were no *agressions Musulmanes* in Sicily in the pontificate of Gregory VII (p. 53): Tancred was the nephew, not of Robert Guiscard, but of Bohemund (p. 75), and he did, after all, finally take an oath to Alexius at Nicaea (p. 76; cf. Röhricht, *Erster Kreuzzug*, p. 88). The first castle built at the siege of Antioch (M. Bréhier does not mention the second) was not called *de la Mahomerie*: it was called Raimund's castle, and it lay close to the *Machumeria*, or cemetery (p. 78; cf. *Gesta Francorum*, xviii. 82, and Hagenmeyer's note *ad locum*). On p. 80 it is a mistake to speak of 'Saracens' as composing Kerbogha's army: they were Turks (although there were Saracens in the army, *Gesta*, xxi. § 1). On p. 82 it is misleading to speak of Raimund as *écarté* from the prospect of ruling in Jerusalem: he refused, desiring other things. On p. 83 M. Bréhier speaks of Arnulf as first Latin patriarch of Jerusalem; he was not patriarch, but vicar, and the first Latin patriarch was Dagobert. It is not an error, but a curious and important omission, that on pp. 85-86 M. Bréhier never mentions, in a single word, the all-important struggle on the death of Godfrey, a struggle which determined that the Holy Land should not be a *patrimonium* under a theocracy, but the kingdom of a lay sovereign. The author is also unfair to Frederick II, when, on p. 199, he speaks of his illness in 1227 as a 'pretext,' and, on p. 197, regards him as having delayed to begin his crusade owing to the charms (in reality it was owing to the difficulties of government) of Sicily.

Two other points may be suggested in conclusion in which, in a subsequent edition, M. Bréhier might improve his book. He does not, at present, explain with any clearness the politics of Syria and Egypt from the Mohammedan side during the twelfth century and the first half of the thirteenth. If he would add a few lines here and there to explain, *e.g.*, the relations of Damascus and Egypt, he would greatly help the reader who is not already acquainted with these things. In the second place, it may be suggested that M. Bréhier would do well to arrange somewhat more scientifically and clearly the original authorities whom he cites, especially those for the first crusade. He does indeed distinguish the *récits originaux* from the *récits indirects*; but he would

do well to go a little further, and under the latter head to distinguish between a plagiarist like Tudebod, a valuable authority like Ekkehard (who ought to be cited, by the way, in Hagenmeyer's edition), and a half legendary, half historical narrative like that of Albert of Aix. Such classification according to a scale of value is far more helpful than a long list of names, however exhaustive.

ERNEST BARKER.

La Chronique de Saint Hubert dite Cantatorium. Nouvelle édition, publiée par KARL HANQUET ('Recueil de Textes pour servir à l'Etude de l'Histoire de Belgique'). (Bruxelles: Kiessling. 1906.)

The house of Saint Hubert en Ardenne was founded early in the eighth century by Saint Beregis with the help of Pippin of Herstal. Originally inhabited by regular clerks and dedicated to St. Peter, it remained obscure until the time of Lewis the Pious; but in 817, with the help of Walcaud bishop of Liège, it was transformed into a Benedictine monastery; and in 825 the body of Saint Hubert was removed thither from Liège. For more than two hundred years after this time the annals of the house were uneventful. But in the eleventh century it ranks among the most important foundations of Lorraine. It had dependent cells or priories both on imperial and French soil: those at Bouillon, Château-Porcien, Cons la Grandville, Evergnicourt, Mirwart, Prix, Saint André, and Sancy are specially mentioned in the present chronicle. How they had originated the author does not explain. He touches lightly in his preamble on the earlier history of Saint Hubert and begins his main narrative with the election of Adelard (1084-1055), the first abbot of whom he had personal knowledge. The *Cantatorium* is designedly a record of events which fell within the lifetime of the author (*quae nostris temporibus audivimus et vidimus gesta*, p. 15). Even of Adelard he has little to say; but from the election of Thierry I (1055) to the year 1106, when the *Cantatorium* breaks off abruptly, the fluctuating fortunes of Saint Hubert are traced in considerable detail. The author abstains from disclosing his own name. But we need not hesitate to adopt the hypothesis which Professor Hanquet has already propounded in a monograph upon this subject (*Etude critique sur la Chronique de Saint Hubert*, Brussels, 1900).

There was at Saint Hubert in 1055 a monk named Lambert the Younger, who afterwards became precentor and master of the choir-school (p. 25). His sayings and doings are persistently noted in the *Cantatorium* whenever they have the slightest connexion with the general story; and yet he is from first to last a subordinate actor. The conclusive proof of his identity with the author of the *Cantatorium* is afforded by a very curious passage which gives some specimens of his table-talk (pp. 135-144). This passage is made up of anecdotes from Macrobius, Cicero, and Valerius Maximus, and, independently of its connexion with the problem of authorship, deserves to be studied as a sample of the scholarship which was cultivated in the schools of Liège and Laon at this period. In the history of classical studies it forms a connecting link between the letters of Gerbert and those of Herbert Losinga. The literary reputation of Lambert was more considerable than we should expect from his Latinity. In 1082 the archbishop of Rheims and the abbot of Saint Remi obtained

leave from Saint Hubert to appoint him as *scholasticus* at Saint Remi. Here he remained for at least sixteen years and attained successively to the offices of prior and dean. Perhaps he owed his advancement less to his learning than to the legal ability of which he had given proofs at Saint Hubert. He was frequently employed by his superiors as an attorney, a mediator, and a confidential adviser. In the capacity of an historian he has considerable merits. He makes a large and discriminating use of documents. His judgments are, for an actor in the events described, remarkably temperate. Although he knows little of events which were occurring outside the ecclesiastical provinces of Rheims and Köln, he is remarkably accurate within his own narrow sphere. As a chronicler of Saint Hubert he was at some disadvantage through being absent from the house during a critical period in its fortunes. But he was personally acquainted with most of the characters whose doings he narrates; even during his residence at Rheims, he was in constant communication both with the monks who remained at Saint Hubert and with those who had migrated to French soil.

It is to be regretted that Professor Hanquet has not given us, in his otherwise very serviceable edition, a marginal analysis. For there is little or no method in Lambert's chronicle. The main interest of the *Cantatorium* is that it describes very fully the conflict of two Hildebrandine abbots with an imperialist bishop, Otbert of Liège. But Lambert, though writing some time after the events which he records, preserves the annalistic form and breaks off repeatedly from his main theme to give an account of donations, legal transactions, and other unimportant matters. A brief abstract of the controversy may therefore be of service to those who feel less interest in the local history of the monastery than in the wider issue of the controversy concerning investitures.

The abbot Thierry I was a model administrator and revered as a saint by the Lotharingian laity. His fame attracted benefactors; he augmented the estates of the house; he enlarged and beautified the buildings. Anno of Köln frequently consulted him; Godfrey the Bearded, the husband of the countess Beatrice, selected Thierry as his executor and charged him with the duty of founding a new religious house. Godfrey the Hunchback, however, made difficulties about surrendering the estates which his father had appropriated to this pious use; and the abbot, after all other means of persuasion had been tried in vain, invoked the aid of Gregory VII. He visited the pope at Rome in the year 1074, armed with a letter of introduction from Matilda, who had no scruples about setting the Curia in motion to correct the shortcomings of her husband (pp. 73-4). The pope showed every disposition to assist Thierry, and not only threatened Godfrey with ecclesiastical censures, but also granted the special protection of the Holy See to Saint Hubert by a bull, of which the *Cantatorium* gives the most perfect copy (p. 81). Lambert, who had accompanied the abbot to Rome, speaks of a private interview between Thierry and Gregory which lasted from one in the afternoon till nightfall (p. 74). Doubtless other matters besides the special affairs of Saint Hubert were discussed. At all events, the abbot returned to Lorraine with the warmest feelings of regard for the pope and the cause which he represented. In 1077 Thierry made a second visit to Rome (p. 98), *gratia orationis*, as Lambert affirms, but

more probably to ask what attitude he should adopt towards Henry of Verdun, who had lately been nominated by the emperor to the see of Liège (p. 87), and whom Thierry had advised the electors to accept provisionally. From whatever motives the irregularity of bishop Henry's appointment was allowed to pass. He was a man of integrity and independence; and under his rule Saint Hubert prospered, although the death of Thierry I in 1086 was followed by the election of a much weaker man, Thierry II, who had hitherto been prior (p. 128). Evil times began with the death of Bishop Henry (1091) and the nomination of Othbert as his successor (p. 155).

Othbert's antecedents were none of the best. He had been prior of Sainte-Croix at Liège, but bishop Henry had removed him from the office for unspecified offences and had banished him from the city. Since then the ex-prior had followed the fortunes of the excommunicated emperor even to the point of assisting at the siege of Rome in 1082-4 (p. 158); he bought the see of Liège when it fell vacant, and approached his new duties with the undisguised intention of humiliating the Hildebrandine reformers. One of his earliest measures was to reinstate two abbots whom his predecessor had deposed for evil living; the men who had been appointed in their places were summarily evicted (p. 156 ff.) One of these last, Berenger of Saint Laurent, had been taken from the abbey of Saint Hubert to fill the dignity of which he was now deprived. His cause was consequently espoused with exceptional vigour by Thierry II, who announced that he would henceforth treat Othbert as an excommunicate (p. 158). The two abbots then sought a refuge with Renaud, archbishop of Rheims, under whose protection they lived from 1092 to 1095. Othbert would gladly have deposed Thierry; but there were legal difficulties, and the house of Saint Hubert was regarded with special favour by Godfrey of Bouillon, the duke of Lotharingia (pp. 161-8). It was only in 1098, after Thierry and Berenger had appealed for help to the cardinal legate Hugo of Lyons and had taken part in consecrating a Hildebrandine bishop at Metz, that Othbert ventured on the decisive step of appointing a new abbot at Saint Hubert. But Thierry then invoked the assistance of the laity. Various nobles showed their good-will towards the lawful abbot by harrying the lands of the abbey (p. 182); Godfrey of Bouillon, when his help was asked by Othbert, at first declined to interfere, but afterwards joined with the count of Namur to insist that Thierry and Berenger should be restored (pp. 185 ff.) The bishop made a virtue of necessity, deposed his pseudo-abbots, and allowed the exiles to return. With Berenger he was successful in establishing friendly relations: the abbot of Saint Laurent agreed to acknowledge him as *de facto* bishop and urged others to follow the same course. Against Thierry, however, the bishop entertained a special grudge, conceiving that the abbot of Saint Hubert had gratuitously defied him before receiving any injury at his hands. Thierry therefore found his position a dangerous one in 1098, when Godfrey of Bouillon and his other friends among the lay nobles departed to join the first Crusade. He fled again to Rheims (p. 208), and offered to resign if the monks would elect Berenger in his place, and in this way avoid the sin of sending their abbot-elect to be consecrated by a simoniac bishop. The monks, however, demurred to this restriction on their liberty, and while they hesitated Berenger, taking offence, declined to accept the

proposed honour (p. 215). Thierry then claimed that his resignation was rendered void by the non-fulfilment of the condition which he had expressed; but the monks, weary of strife and afraid of Othbert, accepted his suggestion that they should elect Wired, one of their own number (p. 221). For ten years afterwards there was a bitter feud between Thierry at Rheims and Wired at Saint Hubert. Thierry behaved with more violence than dignity, and gradually forfeited the esteem of his supporters. Lambert the chronicler joined the party of Wired, though he had formerly been the confidant of Thierry; and the desertion of Berenger was an even heavier blow to the exile (p. 224). In 1098 and again in 1105 Thierry obtained papal censures against Wired and Othbert (pp. 238, 247); but the bishop held his own until the death of Henry IV, 1106. In that year Othbert was reconciled with the papacy, and Thierry returned to Saint Hubert; so far as concerned the diocese of Liège the battle was drawn.

The special points of interest which the *Cantatorium* illustrates are very various in character. It gives an interesting, though a hostile, account of an imperialist bishop and his tactics. It shows how, in the course of the investitures controversy, a middle party arose to which all the laity and many of the better clergy gravitated. It tells us something of the state of Lower Lotharingia under the rule of the three Godfreys; and it is valuable for the biography of Godfrey of Bouillon. There is only one point at which the author touches upon English history. He gives three curious anecdotes about William the Conqueror (p. 43) which have no apparent relation to their context. Professor Hanquet is puzzled to account for their insertion; but this need not be regarded as mysterious when we remember that Lambert the Younger was personally acquainted with both Liège and Laon, two schools which were much frequented by English and Norman clerks; and that a number of Lotharingians obtained English preferment in the second half of the eleventh century.

The text of the *Cantatorium* depends entirely upon the Orval copy (of 1546), which is now in the Bibliothèque royale de Belgique; from this all the other known copies are derived. The Orval copy was followed in the earlier editions of Martène and Durand (*Amplissima Collectio*, vol. iv.) and of Bethmann and Wattenbach (*M. G. H., Scriptores*, vol. viii.) But the former is exceedingly defective; and even the German edition is criticised, on textual grounds, by Professor Hanquet. His own edition, provided as it is with an introduction, notes, glossary, and index, should be very welcome to all students of the period. It is remarkably conservative, except in the point of orthography. Few readers will regret that the spelling of proper names has been made consistent; there is no object in reproducing the eccentricities of a late copy. They will be more inclined to complain that the manuscript reading has been sometimes retained where it is obviously corrupt. The most noteworthy emendation which has been introduced into the text is that by which the fictitious word *decaternam* is struck out of the dictionary of medieval Latin (p. 17); this is due to a suggestion of Professor Kurth. The equally fictitious *inactus* (p. 70) should have shared the same fate; we do not follow the editor's objection to the suggested alternative *vi actus*. On p. 49 the word *abbreviatis* (in the ninth line) should obviously be altered to *abbreviate*, the only reading

which yields a satisfactory meaning. The notes are generally good; but it is a pity that, while simple words like *scriptor* and *werra* are sedulously explained, no notice should be taken of real difficulties such as *lex palatina* (p. 181) and *lex forensis* (p. 247). On p. 222 (ll. 16–22) there is a corrupt sentence which, as it stands, defies translation; but no notice is taken of it in the notes.

H. W. C. DAVIS.

Westminster Abbey and the Kings' Craftsmen: a Study of Medieval Building. By W. R. LETHABY. (London: Duckworth. 1906.)

THE chief purpose of this book, the author tells us, 'is not to add another to the many and excellent descriptions of the Abbey which exist already, but it is to give an account of the masons, carpenters, sculptors, painters, and other craftsmen who built and decorated it;' and he desires to show that 'just as in the thirteenth century we assign certain works of art to Arnolfo, Niccolo, or Giotto, so here we can identify the works of John of Gloucester, mason; John of St. Albans, sculptor; and William of Westminster, painter.' Mr. Lethaby sets forth and develops his line of argument in fourteen chapters. An introduction and the first two chapters, to which we would add the third, 'serve as a guide to the Abbey considered as a work of art. Three or four chapters which follow are historical and technical, and the larger part of the rest is concerned with the medieval craftsmen whose works are there preserved.' To appreciate the opening chapters the book itself should be taken in hand, and the various features referred to examined on the spot. This can be done quite easily between the hours of service on those days (Mondays and Tuesdays) when the church is thrown open to all.

The fourth chapter is devoted to the story of the Abbey from its foundation, which Mr. Lethaby gives good reasons for assigning to about 970, down to the addition to the rebuilt Norman church of the Lady chapel begun by Henry III in 1220. Chapter v. treats of 'Henry III, his artists, and the design,' and shows how lavishly the king poured forth his wealth and artistic treasures on the church that contained the body of his beloved St. Edward, for whom he began a new golden shrine in 1241. Probably about the same time King Henry conceived the idea of rebuilding the church, but active preparations for the work seem not to have been made until 1248. The workmen were the royal masons and carpenters attached to the palace hard by. Mr. Lethaby points out that

as to-day at a large country house we may find an estate carpenter and mason permanently engaged, so to the king's palace were attached a chief royal mason, carpenter, smith, and painter, just as there were a chief butler and cook; and these officers followed one another in unbroken succession. . . . When masonry was undertaken a mason had charge of it, and, later, a carpenter was called in, while a clerk kept the accounts. Henry III's work at Westminster was usually conducted through Odo, a goldsmith, and, later, his son Edward, who acted as treasurers, paying for materials and hiring workmen. These clerical officials are sometimes called 'keepers of the works' at Westminster. The master workmen are also called keepers of the works at times, and they then seem to have overlooked and guaranteed the accounts.

The first royal mason known to Mr. Lethaby is Ralph, the *cementarius regis*, who was working in 1171 at Dover Castle, but one Godwin, a

mason engaged upon the royal works at Windsor Castle, is entered on the Pipe Roll for 1167-8 as receiving a money payment instead of the usual allowance of cloth.

Most of the chapter under notice is occupied by an interesting comparison between the design of the new church at Westminster and that of the contemporary works in progress at Rheims, the Sainte Chapelle at Paris, and Amiens. The work of the first-named church Mr. Lethaby has no doubt 'was the specific type which was followed at Westminster,' and he sees the reason for this in the fact that both are coronation churches; it may, too, have been that the rebuilding of Rheims led King Henry to undertake his new church at Westminster. Henry's new chapter house, again, the *domus incomparabilis* of Matthew Paris, was largely influenced in design by the chapel begun by St. Louis at Paris in 1241; while the north portal of Westminster, which is more like a typical French west front than anything else in England, owes its foreign outline to specific study by its designer of the then just completed front of Amiens. But, as Mr. Lethaby points out, while we may readily make the fullest allowance for French influence at Westminster, 'so entirely is it translated into the terms of English detail that the result is triumphantly English.' The discussion on the points of construction of Henry III's work, and of the order in which it was carried out, forms one of the best chapters in the book, but is of too technical a character for further reference here.

The identity of the first masters of the work forms another interesting section. Operations were actually begun in 1245 by pulling down the old eastern limb of the church and its middle tower, and about a year later two messuages at Westminster were acquired by Master Henry the *cementarius*, probably a Londoner, and no doubt the same mason who, as shown by the Close Roll, was sent on an important mission to York in 1244-5 with Master Simon the carpenter, whose name is connected with contemporary works at Windsor. As Master Henry was in charge of the works at the Abbey down to, apparently, the end of 1253, by which time the new presbytery must have been far advanced, he may justly be considered its architect. He was succeeded by Master John of Gloucester, who held office until his death in 1262, and to whom may be assigned the substantial completion of the first work (i.e. the presbytery, crossing and transepts, belfry and chapter house) and the beginning of the easternmost bays of the nave, to serve as the monks' quire. The successor of John of Gloucester was Master Robert of Beverley, under whom the works of his predecessors were so completed that in October 1269 the body of the Confessor was translated into the marvellous new shrine made for its reception, and the monks celebrated the holy mysteries for the first time in the new building. For the names of the later master masons and carpenters, and of the painters, sculptors, and smiths, of whose great works there still remain more than is usually supposed, the further chapters of Mr. Lethaby's book must be consulted. From these it will be seen that the claims put forth on behalf of the kings' craftsmen are not grounded on mere theories, but on the sober basis of fact as disclosed by the account rolls and records that have been laid under contribution.

Three other chapters tell the story of the completion of the nave

(which, apparently, did not form part of Henry III's scheme), of certain works of the fourteenth century, and of the building by Henry VII, in place of the old Lady chapel, of what Bacon rightly calls 'one of the Stateliest and Daintiest Monuments of Europe.' Four further chapters treat of the image-makers and sculptors, the painters, the metal-workers and glaziers, and of the workers in mosaic, with interesting descriptions of such of their works as yet adorn the church; and the final chapter deals briefly with the monuments and chapels. The book concludes with a short appendix on various points, a general index, and a classified index of craftsmen. Scattered through the volume are some hundred and twenty illustrations, many of them by the author himself, which will be found of great assistance to those who are not familiar with the Abbey church and its interesting story, and a beautiful photogravure of the famous portrait of King Richard II forms an appropriate frontispiece. The book is so thorough a piece of work from beginning to end that slips are very rare, and we have only noticed two of any moment: a statement on p. 8 that Islip was the last abbot, and on p. 11 that the relic 'altar,' instead of the almshouse for the relics, was placed in the fifteenth century on the north side of the Confessor's shrine. We cannot also accept the description of the fish on the chapter house tile (which is likewise stamped on the back of the volume) as 'the salmon of St. Peter;' its curved snout shows that it is a pike, jack, or luke.

Mr. Lethaby's fascinating book is so emphatically a new departure that no one could have a better or a more trustworthy guide to the glorious Abbey church of Westminster, and whoever uses it as such will readily endorse the author's dictum that 'from its crowded associations, and the many lovely minor works it contains, as well as its own intrinsic beauty, this church must be held by Englishmen as the supreme work of art in the world.'

W. H. ST. JOHN HOPE.

Un Comune libero alle Porte di Firenze nel Secolo XIII.: Prato in Toscana. Per ROMOLO CAGGESE. (Firenze: Seeber. 1905.)

THE history of medieval Tuscany has lately received considerable attention. Hartwig and Davidsohn among the Germans, Villari, Santini, and Salvemini among the Italians, have almost reconstituted the early history of Florence; Pisa and Siena have not been neglected; and the registers of Lucca are in course of publication. But these great towns were the leaders, the creators of the *haute politique*, the victors in the policy of expansion. We ought to understand also the condition and feelings of the victims of that policy: how the smaller towns, originally as independent and self-contained as their greater neighbours, were deprived by the latter, first of initiative and then of independence. The geographical position of Prato made that town one of the first to feel the pressure of Florentine imperialism, and Signor Caggesi has done well to study its history during the years of independence—from the formation of the League of S. Genesio (1197) to the occupation of the citadel by a Florentine garrison (1801). Nearly the whole of his book is based on hitherto unprinted documents, of which the Communal Archives of Prato itself and the State Archives of Florence have furnished the chief

part. We get from it an excellent idea of the three most important phases in the life of independent Prato—its relations with the empire, its relations with the Angevins and Florence, and the political and economic organisation of a small commune.

The direct influence of the empire ceased at the death of Henry VI. But imperial authority was still recognised in various ways. The *vicecomes* long subsisted. The *palatium imperiale*—originally one of the feudal castles of the counts Alberti, which seems to have been sold by them to the empire—was not destroyed. The imperial rights were fully recognised when Rudolf of Hapsburg sent his chancellor to enforce them in 1281. The details of this attempt are carefully studied by Signor Caggese and throw much new light on the emperor's Italian policy. The death, first of Rudolf, then of Nicholas IV, and the difficulties attending the accession of Adolf brought the imperial stage in the history of Prato to an end. In 1292 the 'popular' government caused an inventory to be drawn up of all the imperial lands, and definitely expropriated them to the profit of the commune.

Prato entered the Guelph League as an independent state and enjoyed that position during the first half of the thirteenth century. The appearance of the Angevins in Italian politics gave to its independence a first shock. All the Guelph cities of Tuscany provided men and money to aid Charles of Anjou in his attack on Manfred, which was to them a commercial speculation. But whereas Florence was rich and strong enough to influence if not to dictate Angevin policy in Tuscany, the smaller communes suffered heavily by it. Constant demands for men and money—demands in which, from fear of Ghibelline Pisa, it was necessary to acquiesce—drained the resources of Prato. But the Angevin was not to secure authority in Tuscany any more than the emperor was to retain it. The war of the Sicilian Vespers and the death of Charles I of Anjou paralysed Naples. Florence was now strong enough to pursue her schemes unaided. Prato might struggle to evade the demands of her rival, but she always had to submit to them in the end. The final blow came in 1301. A sudden demand from Florence to deliver up the citadel could not be denied; and the Florentine garrison which then occupied it was destined never to leave.

So far as the internal organisation of Prato is concerned we find a development very similar to that of Florence. The Consuls appear by 1140, the Podestà by the end of the twelfth century, the Captain of the People and the consequent dualism of the commune by 1240. The smaller communes are, however, more homogeneous than the larger. There is not the same difference between the classes. In these small centres of industry there was no room for the *popolo grasso*. And if war between classes does break out, it has not the savage character of that in the great cities. We see this in the revolution of 1266-7: by it the Parte Guelfa came indeed into power. But it never had the same influence as in Florence, and its importance had vanished by 1276. The last years of independence were marked by consolidation of popular government, attacks on the privileges of the nobles, attempts to stave off financial crisis by various methods of tariff reform. But the agitation proved too much for the weakened frame. It was the popular

'Eight' which handed over to the Florentines that 'Fortezza' whose acquisition had been the first act of popular government. 'The mission of the small communes was fulfilled, and no power could have averted their fall.'

G. BASKERVILLE.

Rudolf von Habsburg. Von OSWALD REDLICH.
(Innsbruck: Wagner. 1908.)

WE owe an apology to Professor Redlich for our delay in noticing this valuable monograph, the fitting sequel to his collection of the regesta for Rudolf's reign. It is needless to say that the book is based upon a profound study of the documents and upon a number of more special essays for which the author and his pupils are in great measure responsible. It is much more than a mere biography. It describes elaborately the condition of Suabia, the Austrian lands, the kingdom of Aries, and Italy; it also makes some valuable contributions to the social and constitutional history of the empire in the second half of the thirteenth century. Nor is the book wanting in general ideas. Dr. Redlich takes his hero as a type of the princes who were remodelling Germany at the close of the middle age, men who tenaciously pursued a *reale Politik* which rated the smallest of concrete gains above the most alluring of ideals. Considered as a biography the book is wanting in vivacity and proportion; it might also be complained that what we derive from reading it is the conception not so much of a personality as of a policy. But the historian cannot escape from the limitations of his material, and Professor Redlich might have found it difficult to construct a more vivid portrait from the documents at his command without some sacrifice of critical accuracy.

With the origin of the Hapsburgs Professor Redlich only deals in a short introductory chapter, which traces their fortunes from the days of Guntram the Rich to those of Rudolf the Elder. It is in his second chapter that he comes to close quarters with his proper theme. Here he relates the history of Suabia in the thirteenth century, with the special object of showing how the Hapsburgs and other noble houses benefited by the last struggles of the Hohenstaufen with the papacy. During the reign of Frederick II the Suabian demesnes were squandered by the emperor in the form of bribes, or usurped by the princes with the approval of the papacy and anti-Caesars. Little by little from the host of those who competed for the spoil two or three great dynasties emerged, against whom the free towns and the knights waged a spirited but generally ineffectual struggle for freedom. By 1278 Rudolf of Hapsburg was approximating to the territorial position which the Hohenstaufen had once held in Suabia. At the imperial election of 1278 he came forward as the natural candidate of South-West Germany against Alfonso of Castile and Ottocar of Bohemia. Professor Redlich gives an elaborate account of the electoral system as it then stood, and of the diplomatic intrigues which secured for Rudolf first a majority among the electors and then recognition from the papacy (pp. 137-76). The next three chapters deal with the Bohemian wars and the settlement of the Austrian question. Though the author frankly avows his belief that many details of the Bohemian struggle cannot be satisfactorily elucidated he gives a

fairly long account of the campaigns against Ottocar and of the battle of Dürnkrut. With reference to this great victory he accepts, on the whole, the conclusions of Köhler (p. 320 ff.) It is a pity that no maps or plans are provided for this or any other part of the volume. Professor Redlich assumes in his readers a degree of topographical knowledge which few of them are likely to possess, just as he neglects to give in a bibliography the full titles of the collections which he cites in abbreviated forms in his notes.

Apart from his military achievements Rudolf lives in imperial history as a great organiser; and to this aspect of his career Professor Redlich gives a considerable amount of space. Some early measures are described, by the way, in the chapters on the Bohemian war (pp. 205-9, 218-22, 255-7). But four whole chapters of the third book are devoted to Rudolf's domestic policy. Professor Redlich is not content with generalities or rough calculations. So far as his materials go, his account is precise and quantitative in all that relates to public finance and the demesnes. It is interesting to find that he not only institutes a comparison between Rudolf and our own Edward I, but actually suggests the possibility of the Plantagenet having been taken as a model by the Hapsburg. But we cannot help feeling that the parallel is very slight when we come to a comparison of measures. Professor Redlich falls into the error of supposing that Edward's early years, like those of Rudolf, were largely occupied with the work of recovering royal demesnes. The source of the misconception is Pauli (iv. 13 ff.), who appears to have confused the *Articuli Inquisitionis* of 1274 (*Foedera*, i. 517) with the *Quo Warranto* inquest of 1278-9. In 1274, no doubt, questions were put about recent alienations of demesne. But even then the attention of the commissioners was chiefly directed to franchises and the malversations of officials, while in 1278 the whole struggle between crown and barons turned upon franchises. The fact that, while Rudolf was fighting and negotiating for demesne, Edward was legislating and instituting legal inquiries to secure his jurisdiction is most instructive: it suggests in a moment the main differences between the positions and problems of the two monarchies. We need not think it at all strange that Edward and Rudolf should be simultaneously engaged in restricting gifts of land in mortmain. The danger involved in such gifts had been generally understood for a long time past. Edward merely conceded a demand which had been more than once pressed upon his father by the baronage. The Statute of Mortmain contained no novel principle, and it is unnecessary to suppose that Rudolf was influenced by it when he endeavoured to restrict the expansion of ecclesiastical estates in the free cities of the empire. It is a more striking coincidence that financial necessities should have driven Rudolf to convene assemblies representative of the imperial towns. In the early years of his reign the Hapsburg travelled from city to city negotiating for extraordinary assistance. But in 1284 he summoned representatives from the Rhine cities (and possibly from those of Suabia also) to speak with him at Worms about a subsidy. The result was a vote of the thirtieth penny, which was paid by some if not by all of the cities concerned. In 1290 a more general assembly was convened at Nürnberg; but on this occasion the individual cities named round sums

which they were willing to contribute. Rudolf does not appear to have ventured on suggesting a uniform levy, to be fixed by the vote of the majority; he dealt with the representatives as with the ambassadors of dependent states. In this respect, as also in the absence of any attempt to graft the burgess assembly upon the Diet, the exceptional and temporary character of Rudolf's experiment stands revealed. His conferences with the towns may be compared with the irregular colloquies between Edward III and English merchants.

We expect, and we find, in various passages of this work a full account of the diplomatic relations between Edward I and Rudolf which lend some colour to this hypothesis of imitation. Professor Redlich, owing to his laudable desire to take account of every factor in the diplomatic situation, produces a false impression as to the main outlines of Edward's foreign policy. There were, it is true, family reasons which might incline him to support Alfonso of Castile or the house of Savoy against their Hapsburg rival. But these reasons had little effect upon his general attitude towards Rudolf. In 1275 Edward formally espoused Alfonso's cause to the extent of expressing a hope that Gregory X would not recognise Rudolf's title; but he was careful at the same time to warn Alfonso of his determination not to put pressure on the papacy (*Foedera*, i. 522-8). It hardly needed Alfonso's formal renunciation of his imperial claims to make Edward embrace with eagerness the later overtures of Rudolf for a marriage alliance. Consideration for the house of Savoy may have contributed to this change of front. The proposal to revive the kingdom of the Arelate in favour of Hartmann and Joanna was no less acceptable to Savoy than to Edward, since it offered a prospect of curbing the ambitions of Charles of Anjou. But in Edward's mind the grand consideration was bound to be the effect of such a new power upon the position of Philip III. Professor Redlich agrees with the accepted view that the collapse of the marriage project was due to Nicholas III and Charles of Anjou. Nicholas desired, for his own purposes, that the house of Anjou should be endowed with the kingdom of the Arelate; and Rudolf sacrificed the English alliance in the hope of securing his own coronation at Rome. To the last Edward remained anxious for the celebration of the marriage; all the pretexts for delay came from the side of Hartmann and Rudolf. But the untimely death of Hartmann averted the necessity for unpleasant explanations; and in 1282 Rudolf, when answering Edward's letters of condolence, was able to pretend that only this misfortune had prevented the alliance of their dynasties (*Foedera*, i. 614).

H. W. C. DAVIS.

Die Bürgersprachen der Stadt Wismar. Von FRIEDRICH TECHEN. ('Hansische Geschichtsquellen herausgegeben vom Verein für Hansische Geschichte.' Neue Folge, Band III.) (Leipzig: Duncker und Humblot. 1906.)

THE *Bürgersprache* (like the 'morning speech' of our own Gild Merchant) was properly 'the meeting in which the burghers assembled to declare or to hear the town ordinances, but the term not unnaturally came to be transferred to the set of ordinances thus delivered. The

assembly, which corresponded broadly to the earlier *echte Ding* held by the *praepositus*, was common to a great many North German cities through the later middle ages, and was held in some of them twice or thrice, in others, as at Wismar after 1354, only once a year, on Ascension Day. After the ordinances, drafted the day before by the Rath, had been duly proclaimed by the *Bürgermeister*, wooden cups were scattered among the burghers, which they might fill at their own expense, while the Rath betook themselves to more solid refreshments at the expense of the town. The earliest extant of the Wismar *Bürgersprachen* is dated 1345 (Wismar was founded about 1220), and from that date till 1354 there are several short sets of ordinances for each year. Afterwards the proclamation would seem to have been made annually, but in a great majority of years the wording of the last or of some previous edict was repeated. Down to 1480 there are sixty-eight sets of ordinances. In that year the *Bürgersprachen*, which had previously, with one or two exceptions, been enrolled in Latin, begin to be recorded in German. From 1480 to 1572 there is a great gap, and four long sets of statutes, the last of which is dated 1610, complete the collection. The *Bürgersprachen* had already been published as a whole by Dr. Burmeister in 1840, and they are appearing in their chronological order in a great series of the records of Mecklenburg. But they are now for the first time presented in a convenient form, with all the helps to their elucidation that a full and competent scholarship, working on the published researches of the last fifty years, can bring to the student. The text of the ordinances themselves does not occupy half the volume, and the remainder is devoted to an exposition of their contents under subject-headings grouped into four main sections, of which the first three deal with the town and its constitution, police regulations (public security, building, streets, fires, holidays, and sumptuary ordinances), and trade and industry; while the fourth, which is miscellaneous, is chiefly concerned with legal matters, such as the law of inheritance and of debt, fines and penalties, &c. In this way a detailed picture is presented of social life in a typical Hanse town during the fourteenth, fifteenth, and sixteenth centuries. Abundant references to the records of other Wendish ports serve to place Wismar in its right setting along with Rostock, Greifswald, and Stralsund, in the illustrious family of Lübeck, and the wider parallels afforded by the towns of North Germany in general are kept constantly in view.

Perhaps the most interesting, certainly the most picturesque, section of the introduction is that dealing with marriage festivities. The number and character of those qualified to invite and to be invited; the procedure of the three successive invitations; the bride's bath two or three days before the ceremony; the procession to church; the number of dishes at the feast, and the behaviour of the guests (ladies were to sit quietly with their partners and not to run about gossiping); the solemn march from the bride's house to the bridegroom's; the value of the wedding presents; the minstrels and the jugglers and the dancing; the rites of consummation—all these things were elaborately regulated by the municipal or ecclesiastical authorities, and the student of comparative custom will find here a valuable fund of information.

The English student of social and economic history was already under deep obligations to the Verein für Hansische Geschichte. Their publication of the records relating to the Hanseatic merchants in England has made accessible a rich vein of material for the history of English commerce which has been far too little worked. The present volume affords a more indirect stimulus to a branch of study which is in England even more neglected.

GEORGE UNWIN.

Chronicles of London. Edited, with Introduction and Notes, by CHARLES LETHBRIDGE KINGSFORD. (Oxford: Clarendon Press. 1905.)

OF the seven chronicles of London with which Mr. Kingsford deals in his learned introduction to this volume he prints three (Cotton MSS. Julius B. II., Cleopatra C. IV., and Vitellius A. XVI.) and important portions of a fourth (Julius B. I.) The other three have already been printed either in Dr. Gairdner's Camden Society volumes, *Gregory's Chronicle* and *Three Fifteenth-Century Chronicles*, published in 1876 and in 1880 respectively, or in Nicolas's *Chronicle of London*, which appeared so far back as 1827. The whole series is justly regarded by the editor as sufficient answer to Sir Henry Ellis's description of Fabyan's chronicle as 'the rare instance of a citizen and merchant in the fifteenth century devoting himself to the pleasures of learning.' The whole contribution of the city of London to the sources of English history is indeed remarkable, from the days of the *Liber de Antiquis Legibus* to the close of the sixteenth century. The relationship between the seven fifteenth-century chronicles is treated in detail by Mr. Kingsford, and his conclusions seem to us to be amply established both on this point and with regard to the use made of the manuscripts in the sixteenth century, a use much greater than has been generally supposed. Through Holinshed Mr. Kingsford is able to connect the London merchant writers with Shakespeare's plays. 'The speech in which Chichele paraphrases the Lollards' Bill,' he says, 'is one of the few places where we can trace the direct descent. But other material also, like the incidents of Jack Cade's rebellion, comes from the old chronicles through the medium of Holinshed and Fabyan. For the riotous conduct of Prince Hal and the tavern scenes in Eastcheap the only extant suggestions of historical authority are to be found in, or are derived from, the chronicles of London.'

The special importance of the three chronicles now first printed is in the period from the death of Henry V to the early years of Henry VII. The precise weight to be attached to the statements of the London chronicles is not easy to determine. We have no evidence as to their sources of information for this obscure period. It is interesting to find that there was an impression in London that the duke of York's resignation of his position in France in 1437 was not voluntary, but because 'the kyng had sent him his discharge,' and if the impression was correct it explains some future problems. But what was the source of the statement in Cleopatra C. IV.? Considerable weight must, of course, be attached to assertions about the feeling in London itself, and where the chronicles agree (as in insisting upon the support given to Gloucester in 1425) their evidence would be decisive were there any dispute. But they do not always agree even

about London. In relating the punishment of Eleanor Cobham, for example, the writer of the chronicle edited by Nicolas describes the duchess as gaining, by her meekness, the compassion of the people; but Mr. Kingsford's Cleopatra MS. has no hint of sympathy. The greatest value of the chronicles probably lies in incidental statements, e.g. that all the servants of the duke of Gloucester were taken from him at the parliament of Bury St. Edmunds in 1447, and that when Henry fled from London to Kenilworth during Jack Cade's rebellion 'the kyng nor his lordes durst not trust their own household meny.' The MS. Vitellius A. XVI. contains a remarkable account of the battle of London Bridge on the night of 5 July 1450, which resulted in the withdrawal of Cade's forces; the same manuscript throws some additional light on the situation in London immediately after the second battle of St. Albans; and it contains a notable characterisation of Henry VI when the writer tells how Edward IV, in 1471, 'fond kyng Henry almost aloone at the palayce, for he was a goostly and a good man, and set litell by worldly maters.' We have said enough to indicate the kind of interest attaching to these chronicles, but we must not omit the fact that they are specially important as containing evidence of the persistence of Lollardy in London throughout the fifteenth century. The Vitellius MS. records, between the years 1496 and 1505, no fewer than twenty-seven cases of heresy in the capital. Nor must we close without a recognition of the admirable editing which has supplied just such an *apparatus criticus* as is wanted for these chronicles.

ROBERT S. RAIT.

The History of England from the Accession of Henry VII to the death of Henry VIII, 1485-1547. By H. A. L. FISHER, M.A., Fellow and Tutor of New College, Oxford. ('The Political History of England,' Vol. V.) (London: Longmans. 1906.)

THE period to which this volume is devoted is the link between medieval and modern times. It is an age of dark political scheming from the first, and the chief sources of information which we possess about Henry VII have come in our own day from foreign archives. These have certainly shed a great deal of new light on the mysteries of a strange diplomacy, which had been locked up from public view for four hundred years when the late Mr. Bergenroth explored them at Simancas. But in its general character Henry VII's reign remains as it was depicted by Lord Bacon, the reign of an English Solomon who understood the secret of true government, kept the feudal nobility in order, avoided war, amassed wealth, and from being before he came to the throne a proscribed exile, became a very powerful king, whose alliance was sought for by other great princes, and who died the richest sovereign in Christendom. All this we knew already, and the new information is but detail—very interesting detail, certainly, on which we might easily bestow a page or two. But Henry VII's reign is, after all, only a prelude to that of his more famous son, who not only shook the constitution of his own country to its base, but inaugurated a revolution in Christian Europe such as the world had never seen and hardly ever dreamed of.

I will only say, therefore, as regards Mr. Fisher's general treatment

of the earlier reign, that he has done full justice here, as elsewhere, to all the material evidences which are now available. Or if, perhaps, here and there he has overlooked the significance of something, it will be, I suspect, not so much in the new evidences as in the old, which many others might be supposed to have fully explored long ago. For it is really wonderful how things escape observation. Much has been said by writers on monastic morals of the notorious case of the abbot of St. Albans to whom Archbishop Morton, not then cardinal, addressed in 1490 a very severe monition. The abbot's rule, indeed, was as bad as could be, and all proper duties were neglected.

Acts of lust and violence had defiled the sanctity of the Abbey Church, and two neighbouring and dependent priories had been converted into houses of ill fame. The cups and jewels of the abbey had been embezzled, and even the bier of its patron saint had not escaped the rapacious hands of these monastic banditti, who sold the timber and squandered the affluence of their house.

So far Mr. Fisher only repeats what is said in the archbishop's letter of admonition, and of course there could not be a worse indictment. But Mr. Fisher seems to be following in the steps of Froude in what he goes on to say next, which is as follows:—

For so flagrant a case the measure of correction meted out by the primate appears to have been singularly inefficacious. The abbot was invited to reform himself and his house within thirty days upon pain of an actual archiepiscopal visitation. How far any genuine reform could proceed from a source so polluted we are left to imagine, and we are ignorant as to whether any further steps were taken.

Mr. Fisher is a trifle more cautious than Froude, who says in his *History* (II. 487): 'The abbot was not deposed; he was merely invited to consider his conduct, and if possible to amend it.' Froude apparently, like Mr. Fisher, saw nothing more than was contained in Archbishop Morton's admonition, the purport of which he evidently misunderstood. The abbey of St. Albans was in a general way exempt from episcopal jurisdiction, and Morton had procured special powers of visitation from Rome to deal with this and other monasteries so situated in which great abuses at that time prevailed. Even with these powers the primate had to give thirty days' notice before he visited, and he warned the abbot to make use of the time to set his house in order. What judgment he actually passed on the abbot we naturally do not learn from the letter of monition, any more than we should find a sentence contained in an indictment in ordinary law. But how did Froude discover that the abbot was not deposed? For information on that subject the natural place to apply to is the great edition of Dugdale's *Monasticon*, where we have notices of successive abbots in different houses; and it is quite true that even there we do not learn as much as we could wish. But what we do find is very suggestive. William Wallingford was made abbot in 1476 and died in 1484. He is said to have been succeeded by Thomas Ramryge, 'whose election, for reasons unknown, did not take place till 1492.' The editors of Dugdale apparently had found no abbot at all between 1484 and 1492. But it was during this

interval that the abbot so severely censured by Morton misgoverned the house; and as Morton began to take proceedings against him in 1490 the inference seems almost irresistible that he had got him deposed by 1492. Strange that the editors of Dugdale had quite overlooked what was recorded in Wilkins, and that the students of Wilkins have never thought of turning for further information to Dugdale!

These remarks, of course, bear only on a special subject apart from the general history. But it is in itself a very important subject, and whatever may be thought of the general tone of the monasteries, I trust we shall not be told any longer that St. Albans in 1490 was only a sample case of the state of those houses generally. Mr. Fisher rightly enough, when he comes to Henry VIII's visitation, exposes the untrustworthiness of the results and the shameful characters and objects of the visitors themselves. There is another point more truly political, in which he seems to have been again unduly influenced by Froude. In introducing the great subject of the divorce from Catharine of Aragon he begins with remarks on the danger of a contested succession such as men too well remembered in the wars of the Roses. Only one of six children born to Catharine had survived, and that was a daughter. If she were married abroad, as was proposed, it would lead to a loss of national independence; if at home, there would be danger of civil war, and so forth. After a page and a half of these remarks, with a suggestion that the king was thinking 'of making some artificial provision for the succession' in behalf of his bastard son, we are told that 'another solution of the puzzle began to exert an increasing power over Henry's mind'—namely, that his marriage was of doubtful validity, and the pope would surely declare it null to oblige a king who had done such service to the Holy See. We read on, and come to something like the postscript of a sentimental lady's letter:—

Reasons of a different order combined to assist, and were said to have originated the logical process. Henry had fallen in love.

Really, we did not expect this sort of thing in a serious historian. The one adequate motive to account for Henry's conduct is treated as a mere auxiliary one, all the jesuitical pretexts which he put forward to the pope being regarded as the primary causes which led him to desire a divorce! Anne Boleyn surely has much to answer for. She has enslaved the very judgments of historians for nearly four hundred years.

It seems difficult for many people to believe, even with the most obvious evidence of the fact, that Henry VIII was swayed by personal motives in his government, and that his strong will and clear purpose were such as even his ministers, not to say parliaments, were compelled to carry out. Wolsey and Cromwell are regarded as directors of his policy, just as if, like modern prime ministers, they could control their sovereign; whereas they could only find the means of carrying out a policy which he himself imposed. It is going rather far to tell us, as Mr. Fisher does on pp. 282–8 that Wolsey was not 'a perfect diplomatist,' and that 'he helped to commit his country to a war of ambition.' Mr. Fisher does not seem to have taken in all that Dr. Busch has shown about Wolsey's mediation policy, which, though crooked enough, was as

favourable to France as he could possibly make it under the peculiar conditions laid down for him.

There are other matters in which I confess I differ in opinion from Mr. Fisher, but they are perhaps open to discussion, and the ultimate judgments upon many points may be safely left to time. I would rather bear testimony to the genuine merits of this volume, most of which are obvious and indisputable. It is an excellent survey of affairs during a period of English history which is of the highest possible importance. The book is written from a large and almost exhaustive study of all available sources, and is really the only work which gives a complete account of Henry VIII's reign based upon the most recent information. The only important omission in matter of fact seems to be that of the poisoning of Bishop Fisher's household in 1581, and the awful punishment of the criminal by an *ex-post-facto* law. It looks, no doubt, like a detached incident, horrible though it be, in the history of the times; but it is a very weighty one and certainly affords matter for unpleasant speculation. There are also some things that require correction. 'Hall's Life of Fisher,' referred to on p. 292 through Bridgett's extracts, was in fact not written by Hall, as has since been clearly shown by Van Ortro, whose very careful edition and analysis of the work should have been consulted (see *English Historical Review*, ix. 788). Then Chapuys was not a 'Swiss,' as Mr. Fisher makes him at p. 291, but a Savoyard. The brethren of Sion were not called 'Friars' (p. 348), and there was no 'archbishop' of Liège (p. 428). There is also a blunder in the account of Flodden Field, which the reader himself may rectify by a reference to the map at the end of the volume. Barmoor was six miles *east*, not *west*, of the Scottish camp (p. 186). Further, even as a matter of taste, it is surely most objectionable to talk of Bishop Fisher, when alive, as 'a martyr to a hacking cough' (p. 388). Bishop Fisher was a real martyr in the end to a very high principle. It is only a debasement of linguistic currency to talk of a man as a 'martyr' to a cough.

Before I have done I should like just to notice the brief but useful summary in Appendix II., furnished by the information of Dr. Alexander Savine of Moscow, of the distribution of the monastic lands among different classes of the community, their approximate yearly value, and the money paid for them by the grantees.

JAMES GAIRDNER.

The Itinerary in Wales of John Leland in or about the Years 1536-1539.

Extracted from his MSS. Arranged and Edited by LUCY TOULMIN SMITH. (London: Bell. 1906.)

A NEW edition of Leland's *Itinerary* is urgently needed, as Hearne's edition is not only scarce but singularly confusing in its arrangement. Miss Toulmin Smith in collecting the entries relating to Wales has not been altogether successful in finding her way about in the *Itinerary*. Several passages of some importance which ought to have been included have been missed. Among them we may mention Leland's lists of bridges and castles on the Wye (iv. 85), his accounts of the castles of Skenfrith, Grosmont and White Castle, and of the origin of the market of Presteign (iv. 86). Still more regrettable is the omission of the notes on Carmar-

thenshire in vol. viii. pp. 90-8 of the *Itinerary*—the descriptions of the mysterious underground caverns; of Carregkennen Castle, defaced fifty or sixty years since by the men of Kidwely, 'findyng the country vexid with resorte of theves thethar;' and of the 'mightye campe of men of warre with 4 or 5 diches and an area in the midle,' called Rounghay (Grongar) or Arcair gather. Further, while two appendices are devoted to extracts from Leland's *Collectanea* relating to Gower and Anglesey, the important notes on Glamorgan, which come between these two extracts (pp. 90-4), are passed over without a word. Surely the fact that they are in Latin does not justify the omission. In other respects the present edition shows signs of undue haste; the preface begins with an ungrammatical sentence and the indices are far from complete. The most valuable part of the book consists in the identification of place names, which the editor states she owes to the kindness of Dr. Gwenogvryn Evans. This must have involved a vast amount of labour and no little ingenuity, and all students of Welsh history owe Dr. Evans a debt of gratitude. The identifications are more successful in North Wales than in South Wales. Thus 'Lanamdeueri' (p. 57) is not Llandovery but Llanddowror. Leland's form for Llandovery is Llanameueri. The suggestion that 'Pont Rhehesk' may be 'Roath' (p. 85) is so impossible that one suspects a misprint. 'Pont Rhehesk,' which appears on another page as 'Pont Erliesk' and in the *Collectanea* as 'pont yr heske,' was a bridge over the Taff three miles above 'Pont Newith' and seven miles above Llandaff; it must consequently have been situated near the present Pont-y-Pridd, just above which stands the rocky promontory still or recently known as Craig yr Esk. A road probably led from here to 'Penrise village, where the pilgrimage was.' This entry implies that Leland visited these parts after 26 August 1588, when William Herbert repaired to Penrhys and declared the king's pleasure and Cromwell's 'touching the idolatry that was done there.' The map showing the probable course of Leland's travels is useful as indicating how far he relied on personal observation, how far on the descriptions of others.

A. G. LITTLE.

Calendar of State Papers, Ireland. 1 Nov. 1600—31 July 1601.

Edited by E. G. ATKINSON. (London: H.M. Stationery Office. 1905.)

As in the case of the preceding volume, the general contents of that now under notice are pretty familiar to students of Irish history from the *Calendar of Carew Papers* and Docwra's *Narration*. Still, there is some new matter which serves to supplement the account derived from those sources, of which we are glad to be put in possession. Neither Mountjoy nor Chichester, to whose letters we especially allude, was a prolific letter-writer; but when they did write they did so with a thoroughness and clearness which leaves nothing to be desired. The period was a busy and anxious one, the main concern being to crush Tyrone and his allies before the Spaniards came. It was a fight to the knife on both sides, and the documents recording it are anything but pleasant reading. With Munster submissive in the iron grasp of Carew, with Docwra firmly posted at Derry and Chichester at Carrickfergus, Mountjoy, after sweeping Wicklow

and the midland counties with fire and sword, moved remorselessly to his end. Week after week the cordon round O'Neill grew closer, and it seemed as if nothing but a miracle could save him. With a price of 2,000*l.* on his head, doubtful of what reliance to place on the promise of Spanish assistance, with daily diminishing resources, and exposed to constant attack now from this quarter, now from that, it is no wonder that the strain on his nerves should at times have become almost unbearable, and that he should have spoken despondently of throwing up the game and seeking safety in flight. For us it is interesting to know that the resolution he put into execution seven years later had not been hastily formed. The volume closes with the chase at its hottest, and everything pointing to a speedy end of the rebellion. Among documents of a miscellaneous nature attention may be called to an anonymous one of some length on the causes of the rebellion in Ireland (pp. 118-126). Mr. Atkinson makes no effort to identify the writer; but there can be little doubt that he was Captain Thomas Lee, who was executed for his share in Essex's conspiracy. As regards the conspiracy itself, it is curious to note (cf. pp. 282, 296) how persistently rumour ascribed an understanding between Essex and Tyrone in the matter. Touching that curious character William Udall, of whom we would gladly know more, we would point out that a letter of his belonging to April or May 1601 has been misplaced in Russell and Prendergast's *Calendar*, i. 82. As to the document endorsed by Sir R. Cecil 'Ireland. A draft for an answer to Tyrone's libel, written by the honest Catholic lords of the Pale' (pp. 127-136), we would suggest that the real author of it was Thomas Jones, bishop of Meath. But to us the most interesting document in the volume is one endorsed 'The description of Lough Foyle and the country adjacent' (pp. 276-9). For the local history of Inishowen it is simply priceless, and in this connexion we greatly regret that Mr. Atkinson has not likewise printed certain notes by Sir Henry Docwra on the same district referred to on p. 264. On the other hand, we are much indebted to him for calling attention to several maps of the existence of which we were ignorant, especially one of Lough Neagh, and another by Robert Ashby (a new name in our catalogue of map-drawers) of the country of Inishowen. The plans of Derry, Dunalong, and Lifford probably served for the map preserved in the Trinity College, Dublin, collection (cf. Abbott's *Catal. of MSS.*, 1209, no. 14).

As editor Mr. Atkinson has accomplished his task in a thoroughly satisfactory manner, but we would suggest that a short abstract of such letters as have already been printed at length in the *Calendar of Carew Papers* (of which there are probably twenty in the present volume) would suffice. In conclusion, there are a few slips to which, as in duty bound, we would call his attention. Strong fort of Killultagh (p. xlix) is a misapplication of the word fort for fortress or fastness, Killultagh being a wood. P. 13, four lines from bottom, for St. read Sir. 'Power rest,' p. 38, looks as if some word had been misread. By Dunnylls, p. 44, and Donnelly's, p. 114, the writer means O'Donnellys, which should have been so entered in the index. P. 47, l. 16, delete Sir. P. 52, l. 8, the period makes nonsense of the sentence. P. 85, l. 4, towes means tuaghs. P. 95, l. 6, Davies indicates Devits, a branch of the O'Dogherty's,

known as Burnderrys. For Noare, p. 156, and Noar in index, read Nore. P. 192, for rites, read rights. For Lamollon, p. 236, read Rathmullen. By Toughkynalshyn, p. 282, seems to be meant Tuaith Kinel-Feichin, a district in the barony of Leitrim, co. Galway. Rosirrill, p. 296, is now called Rosserilly, and Wynterolis, p. 298, represents Muintir-Eolais, in co. Leitrim. Who the Tortroes, p. 388, were we have no idea, and we must say the same for Shane Shamerie's sons, p. 385, unless we are to understand Samhaoir, which was an old name for the Erne. Daughteryes, p. 428, for which Mr. Atkinson suggests O'Dogherty's, is Dawtrey's (cf. p. 388); and for Forowes, p. 444, for which he conjectures Forres, we would suggest Fardross, near Clogher. In the index Aherlo is the same as Arlow or Arlo; Amias is a misprint for Anias; Arran in Scotland should have been distinguished from Arran in Galway; Crevoke is Crevagh, in co. Meath; for Deace read Deece; Dorchoway, for which Mr. Atkinson conjectures Dorchows, co. Meath, is Derrycuagh, in the barony of Boyle, co. Roscommon; Eagle is a misprint for Eagh; Gavelocke, Hugh, should have been entered O'Neill, Hugh Gavelocke (Geimhleach, i.e. of the Fetters); Gortnishgory is not in co. Limerick, but in co. Galway; Owen Grana was an O'Molloy (son of Gilbert O'Molloy); for Kilwarnan read Kilwarlin; Kinnaltis is, we think, Kinnaleigh, in co. Westmeath; the Newtown in Ulster is to be identified with Newtown-Stewart; for O'Donnoughs read properly O'Donohoes; and Skraffalles is better known as Scariffholis. R. DUNLOP.

Histoire de France. Publiée sous la direction de M. ERNEST LAVISSE.
Tome VII, 1: 'Louis XIV, La Fronde, Le Roi, Colbert' (1648-1685).
Par E. LAVISSE. (Paris: Hachette. 1906.)

THOUGH the rate of publication of M. Lavissee's co-operative history has become sensibly retarded, it is worth while waiting to get such an excellent specimen of the higher popularisation as that which the accomplished editor of the series now sets forth as the first instalment of his personal contribution to the work. M. Lavissee passes rapidly over the political history of Mazarin and the Fronde, and abandons narrative history altogether after the treaty of the Pyrenees and the death of the cardinal. He is in such haste to get rid of this oft-told tale that he hardly allows himself space to be always quite clear. We find Turenne, for example, fighting on one page with the Spaniards, and six pages later commanding a royalist army on the Loire, without a word of explanation as to the famous soldier's changes of policy. Elsewhere the allusiveness of M. Lavissee's method presupposes a considerable knowledge of ordinary historical facts. This is notably the case when, after 1661, he abandons political history altogether. Yet the able and interesting study of the character and policy of Louis XIV; the extremely clear and vivid picture of Colbert, the revolutionary who strove in vain to persuade the conservative monarch to reorganise his state on rational and industrial lines; the elaborate analysis of the economic, political, and social condition of France during the later seventeenth century, are so profound and masterly that it matters little if the method of treatment sometimes approaches that of the essayist rather than that of the systematic historian.

Leaving out a great deal, but narrating in full detail the circumstances which he has selected to illustrate his theme, M. Lavissee has shown no small art in presenting in a vivid and intelligible form the essential features of the age. We note with special interest his complaint of the lack of modern monographs both on the history of institutions and on the special history of this period, and his regret that we have more knowledge of French society of the middle ages, of Roman society, and of the society of ancient Egypt than we have of French society of the seventeenth century, *demeurée obscure sous le décor de Versailles*. On p. 138 M. Lavissee refers to the well-known frontispiece of Hobbes's *Leviathan*, representing a giant whose body is covered with an 'infinite number of small personages,' as if it were meant to represent the French monarchy and its *surhomme*, the king. Of course this picture was not, as M. Lavissee suggests, simply devised for a French translation of Hobbes's book, but was the frontispiece to the first edition of the *Leviathan*, and appeared in London as early as 1651. The monster, embodying Hobbes's conception of the omnipotent state, did not, therefore, foreshadow the monarchy of Louis XIV, then at its lowest point in the midst of the troubles of the Fronde.

T. F. TOUT.

The Digger Movement in the Days of the Commonwealth as revealed in the Writings of Gerrard Winstanley, the Digger, Mystic and Rationalist, Economist and Social Reformer. By LEWIS H. BERENS. (London: Simpkin. 1906.)

THIS book, a well got up monograph of 258 pages, bears a title which rivals in length those of the pamphlets of the seventeenth century. In its propagandist character it may seem to belong itself to the same kind of literature. On its historical side, however, it has a real and permanent interest. The views and objects of Gerrard Winstanley, the chief inspirer of the 'Digger' movement, are given as set forth by himself in his pamphlets issued between April 1648 and February 1652. Of Winstanley's personal career, apart from his projects of reform, little is said, apparently because little can be known, except that he belonged to the middle classes, had fallen into poverty, and was actively engaged in the process of 'digging' and cultivating common lands, which he advocated in his writings. The 'Diggers,' who seem to have used only peaceable means, promising subsistence to all who might join them, began at St. George's Hill, near Walton-on-Thames, and subsequently carried on the same process at Wellingborough and elsewhere. The means by which they were put down were doubtless harsh and arbitrary, but the struggle they maintained would be of little interest apart from the occasion it gave for the assertion of democratic principles in relation to land tenure and communistic principles with regard to property in general. With Winstanley himself the idea of 'making the earth a common treasury for all, both rich and poor,' went along with intense religious convictions, much like those of the fourteenth-century German mystics, especially as to the paramount authority of the Inner Light and the subjective interpretation of Christian doctrine. Nevertheless Mr. Berens seems to go too far in assimilating the 'Diggers' to the Quakers,

since they consisted in great part of soldiers who, having fought to put down 'tyranny,' felt aggrieved in that the system of William the Conqueror, to whom they attributed the origin of land-ownership, survived. In his earlier writings Winstanley denounced capital punishment as murder, but he afterwards admitted it into the constitution of his model commonwealth, and he never seems to have hesitated as to the morality of defensive war. His Utopia, like most others, was hardly permissive of entire toleration; thus at funerals he would insist that neither 'the public minister nor any other shall have any hand in reading an exhortation.' Yet in the laws for that Utopia, and in his declarations, appeals, requests, and the like, this middle-class English Tolstoi of Commonwealth times abounds in reasonable suggestions, set forth with rugged eloquence. His name is worth rescuing from the oblivion into which, in spite of references by Carlyle, Gardiner, and other modern historians, it has practically fallen.

ALICE GARDNER.

Saggio sulla Istoria Civile del Giannone. Da GIOVANNI BONACCI.
(Firenze: Bemporad. 1908.)

By a curious trick of fate the *Istoria Civile* of Giannone has always been looked upon as a kind of manifesto for the anti-papal and liberal parties in Italy. The fact that he became an unwilling martyr to ecclesiastical hatred has given rise to unmeasured admiration from one party and to bitter attack from the other; and both have treated the work as of first-rate importance, and have tacitly admitted Giannone's claim that it was *tutto nuovo* and *tutto civile*, and that it was, in fact, a treatise based on original authorities and containing independent reflexion on great legal and administrative questions. Dr. Bonacci maintains that the book was in the first place attacked by the ecclesiastical authorities because Giannone had omitted to ask them for the necessary *imprimatur*, and that, in consequence of the struggle then proceeding between the pope and Charles VI about Neapolitan investiture, the attack was extended to a general assault upon the book, which was certainly most loyally Austrian, and did contain various unpleasant strictures on clerical abuses. But, on the whole, Giannone was as humbly submissive to papal as to royal authority, and, indeed, declared that the spiritual authority was superior to the temporal. Nor, by anyone who carefully reads his book without preconceived notions, can the least touch of liberal opinion be attributed to him. Nearly all the Spanish viceroys were to him good, wise, and noble, and made excellent laws; while the unhappy populace were *vile, insolente, temeraria*, and were advised to 'study to be good and grateful, if only for their own interest, that they may not interrupt the beneficent flow of benignant favours.' Giannone appears entirely unconscious of the wave of independent thought then sweeping over Europe, and of the efforts of some enlightened Neapolitans themselves after reform. The questions of the 'Monarchia' and 'Investiture,' so critical at the moment, he hardly discussed; and on these, as on many other points, showed himself ignorant of various new publications.

As to the originality which Giannone claimed, Dr. Bonacci has carefully gone through large portions taken from various parts of the book, and

finds them to be mainly literal transcriptions from certain accessible writers, mostly second-hand authorities. The most frequently used were the French Jesuit Buffier (*Histoire de l'Origine du Royaume de Sicile et de Naples*); Angiolo di Costanzo (*Istoria del Regno di Napoli*); Summonte (*Istoria della Città e Regno di Napoli*); d' Asti (*Dell' Uso e Autorità della Ragion Civile*); Parrino (*Teatro dei Vicere*); and Guicciardini (*Istorie d' Italia*). His strictures on the clergy he borrowed from Sarpi. These writers Giannone hardly ever acknowledged, but cited the original authorities from whom they quoted as if he had consulted them direct. Often he transcribed from them statements which had already been proved erroneous. Sometimes, as when he described the Ossuna incident, partly from the Neapolitan courtier Parrino, and partly from the Venetian Nani, he fell into ludicrous self-contradiction. When Parrino stopped, then Giannone practically stopped also. He did even a worse thing, vilifying as 'ignorant' the authors from whom he quoted so liberally. It seems, therefore, incontestable from Dr. Bonacci's book that Giannone's literary and political reputation, so fortuitously made, cannot be upheld.

K. DOROTHEA VERNON.

Il Regno di Napoli al Tempo di Carlo di Borbone. Da MICHELANGELO SCHIPA. (Napoli: Pierio. 1904.)

THE author of this excellent work is one of the most thorough and painstaking of modern Italian historians; his book is a monument of patient industry, of diligent and accurate research; vast numbers of documents and of original authorities have been consulted, as well as the opinions of later writers. Indeed, so careful and elaborate is the detail that the footnotes often absorb nearly the whole page. The reign of the first Bourbon king of Naples does not seem at first sight to offer very great interest, especially when treated at the length of 782 pages, but Signor Schipa has succeeded in making his book almost as interesting as it is historically valuable. He is by no means absorbed in details, and never allows them to obscure the main principles of history, or the development of those ideas and slowly moving forces which were preparing, if very gradually, the way for Italy's future. His treatment of the social condition of the people, of the—in Naples—most important subject of the lawyer class and its ideas and activities, of artistic and intellectual culture, so far as these existed, is as careful as his account of foreign politics and government administration.

Signor Schipa begins by a description of the Austrian administration, and brings out clearly the features which distinguished it from the Spanish, and especially that tendency towards centralisation in Vienna which diminished the independence and power of the viceroy. Consequently the Neapolitan nobility were so greatly pleased that they long remained Austrian at heart, while there was a perceptible increase of disorder and misrule and of the arbitrary powers of the nobles and judges. The arrival of Charles of Bourbon was hailed with delight, for the credulous Neapolitans believed that the possession of a court of their own would be the beginning of a sort of millennium. But the privileged classes soon found that a local king, backed up by all the force of the Spanish

monarchy, was certain to attack, however feebly, their power and privileges; and the people discovered that the money which was no longer sent abroad was barely sufficient to pay for the court and for the king's expensive game-preserving and building manías.

It has very generally been believed, on the authority of the well-known historian Collalto, that the Bourbon rule was a period of great improvements for Naples, that Charles was one of the reforming princes of the eighteenth century, and that Tanucci was the great exponent of his reforms. But Signor Schipa shows that the substantial advances made were small, and one may hazard the guess that any improvement in general prosperity was due less to administrative reform than to the fortunate prevalence of fairly good seasons, and absence of the plague and of the worst forms of seismic disturbance. Charles was a young man of good intentions, though selfishly extravagant in his pleasures, but he was ruled first by his mother and then by his wife, neither of whom took any active interest in reform. Several of his ministers also were well-intentioned, and made efforts to check feudal abuses, and to improve the condition of finance, commerce, and law; but the only one of them with any real ability was Tanucci, and his place in the administration was quite a subordinate one, nor was he even a member of the council of state during Charles's reign. Hence, it is a mistake to suppose that he inspired Charles's policy and was virtually supreme before as after 1759. The story of the efforts after reform is therefore a melancholy one of incapacity, irresolution, want of courage and of steady purpose. Though justice improved in practice, owing to the presence of a stronger local authority and, in great part, to the personal exertions of Tanucci, who was secretary for justice, yet the story of the attempt to codify the laws after the example of Piedmont illustrates very well the general history of reform. Cirillo, the lawyer chosen for the work, was quite unfitted for the task; his book was most cumbersome, full of obsolete laws, and omitting many later regulations. This code was never published or made effective. Again, a new Catasto was drawn up, but was so full of defects that it was almost worse than the old.

In some points the efforts of the government were thwarted by the obstinate conservatism of the people, sometimes by the king himself. A new magistracy of commerce found its attempts useless in face of the almost Oriental character of the people, their utter want of business habits, and mutual suspicion. The Neapolitan *Piazze* made its abolition the condition of a pecuniary grant. This magistracy had re-admitted Jews to Naples; but Charles had them expelled once more, because the priests told him that he would not have a male heir while they remained. The Sardinian ambassador was astonished to find that the cost of the Neapolitan court was nearly three times as great as that of his own master's; it amounted in fact to over five million francs a year, not taking into account the change in the value of money.

A less serious result of the general incompetence was the appointment to superintend and describe the discoveries at Herculaneum of an elderly and asthmatic pedant, whose health would not permit him to descend into the excavations, and who shut himself up in his study and produced five huge volumes about the Labours of Hercules, while the government,

at his request, prosecuted more vigorous antiquaries who published unauthorised accounts of the discoveries. De Brosse has told us of the treatment of the Farnese pictures during the earlier years of Charles's reign. We learn now that, in spite of all the new buildings, the great collection still remained in disorder when Charles left Naples.

Two contemporary opinions of the Neapolitans quoted by Signor Schipa sum up only too clearly the condition of the people, and confirm de Brosse's well-known description. A north Italian wrote, about 1745 :—

I saw with astonishment a country, renowned for its fertility, in which there is nothing but wretchedness, absolute want of all that renders life tolerable, and complete degradation of the human race. . . . I seemed to see a herd of brutes rather than human beings.

In 1754 Genovesi, the noble-hearted Neapolitan social prophet, wrote :—

There are places in this kingdom in comparison to which savage countries would appear civilised. . . . Good manners and cleanliness are ideas which there are no words to express ; writing and reading are thought extraordinary. The nobles are as in the ages of the roughest barbarity ; morals are so savage that the people would hardly be considered Christian but that they are baptized.

K. DOROTHEA VERNON.

Journal d'André Ly, Prêtre Chinois, Missionnaire et Notaire Apostolique, 1746-63. Texte Latin. Introduction par ADRIEN LAUNAY. (Paris: Picard. 1906.)

NEARLY seven hundred pages of a personal diary in Latin would need to be exceptionally interesting to induce the general reader to plod faithfully through it. The present writer has spent a year in Sz Ch'wan among the people and the scenes described ; at a time, too, when the members of the Missions Etrangères in Sz Ch'wan were still obliged to keep themselves more or less in hiding. Yet he finds it difficult to do full justice page by page to such interminable descriptions ranging around so narrow a subject. In 1746 the Fuh Kien authorities complained to the emperor K'ien-lung of the activity of the Spanish missionaries in that province ; in consequence, as Father Launay tells us in his introduction, the emperor *adresa des ordres secrets à tous les vicerois pour leur enjoindre de rechercher les Européens qui enseignaient la religion du Seigneur du ciel, et de dégrader les mandarins qui montreraient de la négligence à abolir cette secte perverse et impie*. It so happens that we have the emperor's original edict before us at this moment, dated the seventh moon (about August) of 1746. It is in no way secret, and it even compares the 'Lord of Heaven' religion favourably with the 'Dīpaṃkara, Mahāyāna, and such' religions ; moreover, the emperor adds that it is the native religion of the Western Ocean men, and that it would therefore be unkind as well as impolitic to put the law into full force against them : he simply orders foreign missionaries, wherever found, to be taken to Macao and thence shipped back to their own countries ; he reserves to China, however, the right to punish such converted natives as will not

recant, always excepting silly and ignorant persons who may have been coaxed over or cajoled. This different point of view is typical of the whole missionary question: on the one hand there is a tendency to regard the legitimate rulers as impious persecutors, on the other to regard the well-meaning missionary as a mischievous political schemer. A second decree in 1748 forbids the traders of Fuh Kien to follow the 'Lord of Heaven religion;' and in 1757 the British factory under Flint at Ningpo is ordered to close, precautions being taken at the same time to prevent the entry of Christianity there. There are no other anti-Christian decrees on record between 1746 and 1763.

The foreign missionaries having, in consequence of K'ien-lung's 1748 decree, had to leave Sz Ch'wan, or at least to live a precarious sort of life whenever they ventured to pay short visits to their converts, Father André Ly, a native priest, took charge in their absence, and his diary for seventeen years (with a short break) describes his daily life, his travels, the 'persecutions' of the 'praetors' and 'satellites,' his sumptuary expenses, his steps to provide for worship, and so on. Things could not have been so very bad in China at this time, in spite of the prohibitions, for in the summer of 1758 a mission arrived in Peking from king Joseph of Portugal, and the envoy Pacheco offered to the emperor the thanks of his royal master for the great kindness shown to Portuguese subjects in China. André Ly, in his Sz Ch'wan seclusion, of course knew nothing of this mission, or (probably) of the actual wording of the decrees above cited.

Father Ly's diary is upon the face of it manifestly true to the letter, allowance, of course, being made for his Christian bias when he assigns motives for action against Christians. But, in addition to that, his occasional allusions to contemporaneous political and historical matters and to local details are amply borne out by reference to standard Chinese history, or by comparison with the experiences of latter-day travellers: thus (p. 92) the *epistola a Rege barbarorum Kin-tchuen ad Imperatorem Kien-long missa* appears on record in the *Tung-hwa-luh* (Manchu Dynasty Decrees) as a letter from King Solopen of Kin-ch'wan in Eastern Tibet (recently visited by the late Mrs. Bird Bishop) to the emperor K'ien-lung. *Ad gubernatorem oppidi Pa-hien sunt addicti* (p. 230) strongly reminds the present writer of his own rescue from the rioters from the said gubernator's successor in the year 1881, when, *circa vesperam perveniens in Fou-thou-Kouan* (p. 250), he was attacked by a superstitious crowd outside Pa-hien (the official name of Ch'ung-k'ing, now a treaty port) at the village in question.

As a faithful description of Chinese life and intrigue, Father Ly's book possesses a high general value: as a record of religious work achieved and of Christian progress under difficulties, it possesses, of course, a still greater specific interest for the catholic missionaries—in fact for all devout catholics. It may be thought remarkable that a simple Chinese priest should keep his diary in almost faultless Latin; but it is the practice—and a very convenient one where so many conflicting dialects and languages are spoken—for all Chinese converts of the higher education to speak Latin, and to correspond in that language with Europeans of all nationalities.

E. H. PARKER.

Correspondence of William Pitt with Colonial Governors and Military and Naval Commissioners in America. Edited under the auspices of the National Society of the Colonial Dames of America by GERTRUDE SELWYN KIMBALL. 2 vols. (New York: Macmillan. 1906.)

THIS book contains a selection of the most important documents, collected chiefly from the America and West Indies series in the Record Office, which illustrate the elder Pitt's methods of conducting a campaign. All his despatches to commanders and governors in North America and the West Indies from December 1756 to his resignation in October 1761 are here given, together with a large number of the reports and letters sent back to him; so that the whole story is complete. The introduction is lucid and the notes admirably brief and pointed; while the material collected gives a picture of Pitt's powers of practical administration which is an absolute revelation. It is hardly an exaggeration to say that hitherto we have had largely to take on trust the extraordinary genius of this great minister for arousing enthusiasm and for getting work done. We all know the stories about his mastery of the house of commons and of the impression he made upon a man like Wolfe, but never before have we been able to take a connected view of his own actual office work. There is a story, which Herr von Ruville spends some labour in suggesting must be apocryphal, that Pitt himself wrote all orders for the navy and had them signed by the admiralty officials blindfold: it may not have been done exactly in this way, but at any rate it is clear from these despatches that Pitt himself gave the orders to admirals and generals as well as to colonial governors, and personally attended to the minutest details necessary for an expedition which he had planned. He tells the admirals what ships they are to take, what they are to carry in them down to such matters as molasses and rum, when they are to start, and what they are to leave behind if necessary. Another point which comes out clearly from these records is that, while Pitt planned most exhaustively beforehand, he never worried his subordinates after he had explained to them clearly what their task should be, but was content to leave the man on the spot to modify details according to circumstances. After carefully reading through these despatches one sees with a quite new comprehension how it was that Pitt's genius aroused the enthusiasm of the soldiers, sailors, governors, and sulky colonials whom he enlisted for his schemes, and overcame difficulties which at first sight seemed almost insuperable.

The mere difficulty of communication, not only between England and America, but among the different colonies themselves, was a serious obstacle to the rapid and coherent execution of any plan of campaign. Even when Pitt's commanders happened to be at a seacoast town ready for the despatches as they came off the packet, they hardly ever received them less than six weeks after they were written, and sometimes in the winter months, the time of the most important orders, not for three months. If, as sometimes happened, the packet containing the original order foundered or was captured, the order would not be delivered by means of the duplicate or triplicate letter for an indefinite period later.

Again, if the letter had to be forwarded up country the delays of land transport were greater still. For example, the distance from Albany to the head of Lake George, for several years the military base of operations directed against Canada, was only 260 miles, and it must have been over a well-beaten road; but in September and October 1758 Amherst, in spite of forced marches, took three weeks to make the journey. The governors of the southern colonies of the two Carolinas and Georgia had to wait as long as five or six months for their despatches from London, and General Forbes when operating in Virginia complains that his letters sometimes take three months to reach him even from the coast towns of America.

The difficulty of co-ordination caused by this absence of rapid inter-communication was still further increased by the entire want of cohesion among the different English colonies, and the unwillingness of some of them to fight for the defence even of their own territories. Those colonies that contributed fair supplies of men and money to the common cause jealously watched their neighbours and complained bitterly if they seemed more remiss in their contributions. Even those most forward in appreciation of the crisis created considerable annoyance to the imperial officers by refusing except under compulsion to billet the soldiers from the mother country during the winter months; while three-quarters of Forbes's difficulties in the expedition against Fort Duquesne arose from the criminal obstructiveness of the Pennsylvania Quakers, whose territory he was protecting. Moreover no colonial levy, however good, could be counted on from one year's campaign to the next, as the assemblies would never vote men or money for longer than the current year's summer and autumn months. Consequently the wearisome process of securing authority to raise troops and then of beating them up began afresh every spring before a start could be made in the operations. One colony, Maryland, steadily refused to vote any levies at all by taking advantage of an obscure quarrel between the two houses of the legislature, which forbade either to give way even in presence of the universal danger: while Virginia and the two Carolinas rendered very little help until they were forced to show some energy in self-defence against the Cherokee outbreak.

The Indians generally, when Pitt first undertook the American problem, were in a very menacing attitude to the English. Like all savages, they bowed the knee to the winning cause, which at that time appeared to be that of France. Even the Six Nations occupying the territory between New England and the Lakes, who had hitherto always resisted the advances of the French, though not fully won over to that side, showed themselves distinctly lukewarm to the English; while the tribes further south, such as the Cherokees, Choctaws, and Chickasaws, and even the Creeks of Georgia, became entirely out of hand. The savage forays resulting from this hostility were disastrous to the more defenceless pioneers on our western borders, while the loss of Indian auxiliaries, though they were not so important, except to inspire terror in pitched battles, was severely felt in backwood skirmishes and scouting expeditions.

Lastly, the military commanders sent out from England were of the type which the British army seems generally to breed during the fat years

of peace before the nation has warmed up to its duties: conscientious, plodding men animated with the best intentions, but dull, unenterprising, and tactless, with a gift for creating discontent, and a greater terror to their own side than to the enemy. Such were Braddock, Webb, Abercromby, and Loudoun, the three last of whom Pitt inherited from his predecessors.

On the other hand, the French, in spite of their comparatively small numbers, had many points in their favour. They knew exactly what they wanted and had a definite policy for attaining it. They had a first-class general in Montcalm, who was assisted by capable lieutenants, and they had no trouble about semi-independent colonies discussing whether they would defend their own territories or not. Consequently their army was homogeneous and well led. Strategically, both for attack and defence, they were in the better position, for they occupied points of vantage on easy lines of communication almost in the heart of the English territories, and could always, if pressed, concentrate on the immensely strong line of the St. Lawrence, of which Louisburg, Ticonderoga, Fort Duquesne, and Niagara were the outer bastions.

Had there been no compensating advantages to all these difficulties, it would have gone hard even for a Pitt to achieve success. But the *moles*, as so often in our history, was good, though it required a *mens agitans*. The fleet, even in the last unfortunate war, had shown its worth with Anson in his tour round the world and off Cape Finisterre, and had bred admirals like Pocock, Boscawen, Saunders, and Hawke, who responded nobly to the statesman's inspiration. The army had no such commanders at its head in 1756, but even then the raw material was not amiss, as Dettingen and Fontenoy had amply proved and as Pitt soon discovered when he put it to the test. Wolfe and Amherst are known to all, and this book adds little to the just reputation of the one for fiery heroism and of the other for cautious sureness. Other soldiers less known, however, can here speak for themselves: Forbes, the hero of Fort Duquesne; Murray, the youngest of Wolfe's brigadiers, and not unworthy of his chief; Crump and Melville and Monckton; and Rogers, a colonial, able to beat the best Indian scouts at their own warfare. Lastly, the colonials, though unsatisfactory as a whole, showed in some instances remarkable zeal and patriotism. Massachusetts above all, influenced no doubt partly by its energetic governor Pownall, responded nobly to every call made upon its men or its purse. In the years from 1757 to 1760 it levied 1,800, 7,000, 6,500 and 5,000 men respectively, thus alone contributing in each year about a third of the total colonial forces, at a cost of about 80,000*l.* a year, besides fitting out a small war-ship and keeping up garrisons and scouting parties. Governor Dobbs also, of North Carolina, though singularly unsuccessful in his efforts to raise levies, must have comforted Pitt by his single-minded admiration for his chief's successes and his hearty enunciation of protestant sentiments.

There is much else of interest to notice in this collection did space permit. Merely for the story of the conquest of Canada it is worth reading: how in the first year Loudoun quarrelled with colonials and wasted his fine army drilling and planting cabbages at Halifax instead of

attacking Louisburg; how Louisburg fell to Amherst in the second, and Forbes made his heroic march to Fort Duquesne, while Abercromby the commander-in-chief, the last remnant of the old bad tribe of generals, entangled himself hopelessly round Ticonderoga; of Wolfe's conquest of Quebec and death in 1759, and of Murray's gallant defence there against de Lévis in 1760, with the reduction of Montreal and of all Canada. The history of the capture of Guadaloupe and Dominica and of their successful administration by military officers may also here be read, and then the plan of attack on Martinique, before the story breaks off abruptly; for when Amherst's last letter was written to Pitt, the great minister had already retired nearly two months.

In conclusion, it may not seem ungracious to suggest one or two improvements. Miss Kimball rarely gives the annexures to despatches, quite rightly no doubt in most cases, but she even omits them in cases where they are really not less interesting than the despatches themselves. The gravest omission in this respect is of Governor Pownall's memorial attached to his despatch of 15 January 1758, an indispensable document for the comprehension of the relative positions of French, English, and Indians at the beginning of the war. It is true that it is very lengthy and has already been printed—with thirty-eight of the letters here given by Miss Kimball—in Thackeray's *Life of Lord Chatham*, but it is a pity not to have made this collection as complete as possible. Again a letter is given (vol. i. 387) alluding to correspondence enclosed about disputes with the Spaniards on the question of the Mosquito shore: without these enclosures, which are to be found in the Record Office, the letter is hardly intelligible. The dispute was not one of great importance, but either the enclosures should have been printed or the letter omitted altogether. We have also noted a few other omissions of the same character. Space was no doubt a consideration, but, on the other hand, space might well have been saved by summarising some of the despatches to the southern governors, which are in great part duplicates of those to the northern governors, instead of invariably printing both in full. A good map accurately showing all the places mentioned would also have been a great boon. It might well have taken the place of the worthless contemporary map reproduced in vol. i. Finally—to mention very small matters—it would have been a great convenience if the numbering attached to the letters in the table of contents had also been given in the text, and if a table showing at a glance the various governors of the different colonies had been added. BASIL WILLIAMS.

Gedenkstukken der Algemeene Geschiedenis van Nederland van 1795 tot 1840. Uitegevend door Dr. H. T. COLENBRANDER. Part II. (1795–1798.) (The Hague: Nijhoff. 1906.)

THIS is Dr. Colenbrander's second volume—there are to be ten in all—and the documents given cover the period from the flight of the prince of Orange and the recognition by France of the Batavian republic down to and including the establishment of a constitution on the French model in the first half of 1798. The volume is divided into five parts. The first (pp. 1–247) contains French reports, chiefly those of Noël, who was the first ambassador sent by the directory to Holland, and those of

Delacroix, who was sent to take his place when it appeared that Noël was not pushing on the establishment of the new constitution sufficiently. Delacroix accordingly brought about the *coup d'état* of 22 January 1798, by which the Jacobin party came into power. They did not hold it long, as they were dispossessed in June, but the constitution introduced in January remained. Though unworthy to rule, the Jacobins' tenure of power was not marked in Holland by the excesses which disgraced them in France. The second part (pp. 247-356) contains Prussian reports, chiefly the correspondence of Bielfeld, who stayed on at the Hague in an acting capacity during these years. There are also some reports by Bosset, an agent of various of the smaller German states. These papers are written in French. The third part (pp. 357-480) contains English reports, chiefly those of Robert Barclay, who under cover of financial or commercial business furnished information with regard to affairs in Holland to Lord Grenville, and of Charles Bentinck. Some of the latter have been already published in the Grenville papers. The other papers in these first three parts have been taken from the various public record offices. The fourth part contains documents of a Batavian origin (pp. 481-817). These naturally do not form a regular series, like the diplomatic correspondence in the earlier parts of the book, but are a miscellaneous lot of papers having only a certain unity of subject. Every view except that of the Orange party is represented. The correspondence of the Orange party, including that of the prince himself and his son, is given in the last part (pp. 818-1011). The papers in part iv. are naturally very largely concerned with the *coup d'état* of 22 January 1798 and the subsequent overthrow of the Jacobin government on 12 June following, those of the last part with the policy and vain hopes of the exiled house of Orange. Throughout these years the Orange party, excluded from influence in Holland and unable to secure any effectual assistance from abroad, were unable to do anything of importance. The papers in the last two parts are some of them written in Dutch and some in French.

The documents are preceded by an excellent introduction, which, though Dr. Colenbrander disclaims the intention of writing a history, gives a good general view and serves usefully to elucidate the correspondence. He points out that the people received their new constitution without enthusiasm; the majority, indeed, seem to have been at heart partisans of the house of Orange, and it was only the active support given by the French to the Jacobin party which secured the settlement of the constitution: without French intervention it seemed as if nothing but an interminable discussion would have resulted among a people who were for a great part more interested in preserving their provincial freedom than in the establishment of a republic which should be like the French state, one and indivisible. Indeed Dr. Colenbrander observes that the revolution in the Netherlands was not so much remarkable for the vigour of its performances as for the feebleness of the opposition which it excited. Want of faith, he says, in the old order must be great before a people tolerates revolution, but in the Netherlands this faith was moribund.

The book has a good index, and has evidently been compiled with care throughout.

H. LAMBERT.

Madame Récamier et ses Amis. Par EDOUARD HERRIOT. 2 vols.
(Paris: Plon. 1904.)

M. HERRIOT's book is very interesting, although perhaps it rather satisfies our curiosity than adds much that is material to our knowledge of Madame Récamier and her friends. Madame de Staël, Benjamin Constant, the 'worthy Ballanche,' Mathieu and Adrien de Montmorency, J. J. Ampère, Chateaubriand, Madame Récamier herself, and the other characters eminent in society, literature, or art to whom we are introduced have been so fully discussed and described by critics, historians, and writers of memoirs, so many volumes of their letters have been published, that but little of importance about them that is both new and true is left for the most careful research to discover. Yet M. Herriot has had access to documents hitherto unused, and his graphic touches complete, though they may not materially alter, the picture we are able to form of Madame de Staël's storm-swept circle and of the more placid *salon* of Madame Récamier. Madame de Staël is the greatest name in French literature during the Napoleonic epoch, for though Chateaubriand had greater skill in the arrangement of words she surpassed him in width of vision and intellectual depth and sincerity. She was generous, faithful in friendship, and possessed of so many excellent qualities that we are more disposed to weep than to laugh at the tragi-comedy of her loves with Benjamin Constant, the ignoble conclusion of which is told at some length by M. Herriot, in extracts, for the most part, from the correspondence of Rosalie de Constant. We are at first disposed to blame the author for introducing such a description as that of Corinne prone on the stairs in shameless disorder after pursuing her Benjamin to his sister's home. The picture is too unpleasing; it shocks the reverence due to genius, and we feel that respect for their common womanhood should have restrained the pen of the writer. But M. Herriot probably intends the unbridled sensibility of Madame de Staël, who followed wherever her feelings might lead, to be a foil to the self-restraint and sweet reasonableness of Madame Récamier. Perhaps a somewhat similar explanation may account for what would otherwise appear the unnecessarily copious extracts from the letters of Mathieu de Montmorency and the *bon* Ballanche. The constancy of Montmorency's tender and anxious friendship, the unselfish and lifelong devotion of Ballanche throw into relief the egotism of Chateaubriand, who, proud of the impression he had made on a heart hitherto obdurate, first sought to add one more to the many victims who, Semele-like, had been consumed by his Olympian ardours, and in later years sought consolation for the much resented outrages of time in her unselfish friendship and admiring devotion.

As a biography of Madame Récamier M. Herriot's book supplements rather than takes the place of the *Souvenirs et Correspondance* published by Madame Lenormant. The admirers of Madame Récamier will be glad to find that the pleasing features in the portrait drawn by her adopted daughter owe but little to filial piety. The fair Juliet was indeed a remarkable woman. She had been educated by a frivolous mother, who taught her that to dress her hair and to display her brilliant beauty to

the greatest advantage was the most serious business of life. Her father was a handsome, weak, good-natured simpleton. She was married when only sixteen to a man old enough to be her father, who was never her husband in more than name. M. Récamier, an easy-going man of pleasure, was no sure guide for a young girl suddenly launched into the society of the directory, where profligacy was no longer veiled under a refined decency of manners nor luxury restrained by good taste. M. Herriot, it is true, confirms Madame Lenormant's assertion that her aunt held aloof from the assemblies in which Madame Tallien and Joséphine Beauharnais set the fashion in diaphanous dress. It was only in 1798 that Récamier bought Necker's house and that his wife's *salon* began to be frequented by the best of the rising men of the new *régime*, by the Montmorencys, Lamoignons, and others of the returned *émigrés*, and by the literary friends of Madame de Staël. It was, and remained to the end, neutral ground, on which men of all parties met, disarmed by the tactful charm of their hostess. Yet after reading M. Herriot's book we feel that there was some justification for the suspicious dislike with which Napoleon regarded her *salon*. It was in her house that Bernadotte had attempted to persuade Moreau to take more vigorous action against their Corsican rival, and although Junot and other Bonapartists were among her friends her greatest intimates either stood sullenly aloof or hardly concealed their enmity to the government. Nearly every man who was admitted to the friendship of Madame Récamier passed through a phase of passionate adoration, more or less serious. She was not displeased that it should be so, for although she never accepted she never drove away a lover. Nor, with the exception of the frivolous Lucien Buonaparte, did she ever lose one. She converted her suitors into friends, a metamorphosis more deserving our wonder than that wrought by Circe. It is surprising that in playing so dangerous a game she should have lost neither her good name nor her peace of mind. The fact seems to have been that although, as Sainte-Beuve remarks, she had a genius for friendship, although her sympathy was ready and her affections constant, reason in her predominated over feeling. She was by nature 'unmoved, cold, and to temptation slow.'

How little she had of that 'sensitivity' then so fashionable that not to possess it was a reproach we may learn from an interesting autobiographical fragment given by M. Herriot (i. 68), in which she tells the story of her first acquaintance with the duke of Laval, Adrien de Montmorency. They began a sentimental flirtation. She thought that neither of them was sufficiently miserable; she was disappointed that they should have little to say to each other which all the world might not hear.

Je m'en dédommageais en m'exagérant, quand j'étais seule, le penchant que je ressentais. J'attendais M. de M. chez moi quand je savais qu'il me désirait ailleurs. . . . Je me créais des torts pour avoir des scrupules. Je supposais des luttes afin d'éprouver des agitations, et je parvins de la sorte à m'inspirer quelque chose qui ressemblait un peu au remords. J'en profitai bien vite pour introduire dans nos relations ces difficultés et ces douleurs qui devaient en faire partie. Je fermai subitement ma porte à M. de M. et j'eus la satisfaction de souffrir beaucoup, plus même que je n'aurais osé m'en flatter. . . .

Enfin j'avais combattu, j'avais vaincu, j'avais immolé le penchant au devoir; j'étais triste, abbatue, mélancolique.

Evidently even when playing with edged tools this lady ran no very great danger. Yet twice at least the transmutation of lover into friend was not accomplished without some disturbance of her own peace of mind. Her heart was touched, and she had to tranquillise and chasten her own as well as her lover's feelings. Youth, royal rank, and respectful ardour in the one case, in the other universally acknowledged literary pre-eminence, political celebrity, and a rare power of seduction were hard to resist. Yet after a short hesitation Madame Récamier refused to become the wife of Prince Augustus of Prussia. Her husband would have consented to a divorce, but he had just lost his fortune, and she shrank from depriving him of such countenance and comfort as her society could give. And when the suit of Chateaubriand was too hotly pressed she secured her peace of mind and her dignity by an absence of eighteen months in Italy. It detracts but little from the wisdom of this course if, according to M. Herriot, her resolution was strengthened by resentment at the infidelity of her much protesting lover. We learn much from M. Herriot about the intrigues by means of which Chateaubriand sought to secure the objects of his political ambition. All that we are told increases our admiration for the tact with which Madame Récamier retained the friendship of Mathieu de Montmorency and prevented any breach between him and Chateaubriand, whom he must have known to have repaid his good services, obtained through her mediation, by treacherous ingratitude. Montmorency, it is true, was a Christian and a gentleman.

M. Herriot tells us more than previous biographers about the younger generation of Madame Récamier's admirers. To her it might truly have been said *pubes tibi crescit omnis*, though mothers had no need to tremble when their sons fell under her charm. As in the case of J. J. Ampère, whose love, M. Herriot remarks, was that *d'un jeune littérateur en quête d'une chimère*, she showed no distaste for philandering with a man of half her age; yet she knew how by slow degrees to tame the romantic ardours of her adorer till only so much glow remained as might suffice to give a tender interest to friendship.

M. Herriot in his modest introduction says that he has attempted to apply a sound historical method in his researches, and he is generally impartial and scrupulous in the use of his authorities, relying chiefly on letters as the most trustworthy evidence obtainable. Yet he occasionally accepts the statements of rather questionable witnesses: e.g. of the secret agents of Lewis XVIII, and of the memoirs of the vicomte de Reiset, on whose authority we are told that the gallantries of Prince Augustus of Prussia repeatedly provoked the severe admonitions of Frederick II. If so, since when the great king died in 1786 the prince was only six years old, he must have been a very precocious Don Juan. As in the case of so many French books, we have to regret the absence of an index, but, on the other hand, have reason to be grateful for a very full and useful bibliographical chapter.

P. F. WILLERT.

Correspondance du Comte de la Forest, 1808-1813. Publiée par GEOFROY DE GRANDMAISON. Vol. I.: Avril 1808-Janvier 1809. (Paris: Picard. 1905.)

THIS volume is the first of a series dealing with the diplomatic career of one of Napoleon's chief ambassadors. It has been published for the Société d'Histoire Contemporaine, and has been prefaced by a biographical notice of the count. He was born at Aire-sur-la-Lys, in Artois, in 1756, and in early manhood proceeded to the United States in the suite of the ambassador M. de la Luzerne. He returned to France in 1792, but speedily made his way back to the republic of the west. There he became closely attached to Talleyrand, whose fortunes he thenceforth followed, even when that diplomatist entered once more into the political arena in France. Like Talleyrand and Reinhard he brought to the diplomatic service of the French republic the traditions and experience of the men of the old monarchy. This he showed during his tenure of office at Munich, Ratisbon, and Berlin. It is to be wished that his despatches dealing with Prussian affairs in 1808-7 had formed part of the present collection, for they deal with the vacillations of Prussian policy, which were so fateful for the Hohenzollerns and for the cause of European independence. In March 1808 he received an intimation that Madrid was to be his new embassy; and he arrived there in time to see the strange events that accompanied the entry of Murat into Madrid, the national rising, the arrival of King Joseph and his flight northwards to Burgos and Vittoria. These are the events described in the present volume.

Both the emperor and Murat had a high opinion of the talents and prudence of the ambassador. Napoleon recommended him to Murat as *un homme de mérite et qui est propre à tout*. Certainly he was a clever and supple diplomatist, but his despatches show no very keen insight into the situation in Spain. On arriving at Madrid early in April 1808 he was deeply impressed by the enthusiasm of the people of the capital for the French; and his eyes were opened but very slowly to the real feelings of the populace. His inference respecting the rising of the men of Madrid on 2 May was that it *détruisait sans retour les ressources du parti de Ferdinand*. He looked on the national rising as merely passing ferment which would easily be repressed by French troops, or would die away of itself as the time of harvest approached. Above all he believed that the arrival of King Joseph would calm the spirits of the populace; and he quoted with warm approval the *mot* of a Francophile Spaniard, *L'Espagne est le pays de l'Europe où l'on croit le plus à la présence réelle* (p. 89). The news of Baylen aroused him from these dreams, and he had to follow Joseph quickly to Burgos and Vittoria. At the latter town he received a new commission from the emperor—namely, to act as his envoy at the court of King Joseph, who received him very coldly in his new capacity (p. 297). The events of the rest of the year are set forth in the remainder of the volume, with the bias which is to be expected in an ardent admirer of the emperor. The volume closes with the bulletins which La Forest issued at Madrid after its reoccupation by the French. It is regrettable that the editor, who has in general done

his work with equal accuracy and thoroughness, should state, in the table of contents of the events of January 1809, that Soult attacked Sir John Moore's army during its embarkation. J. HOLLAND ROSE.

The Civil War in the United States, 1861-1865. By W. B. WOOD and Major EDMONDS, R.E. (London: Methuen. 1905.)

To compress into little more than 500 pages the events of five years, naval and military, spread over an area of which the diagonal is about 1,000 miles, is a task of unusual difficulty. Our authors have to treat as a connected whole a vast struggle of which the most critical campaigns were fought, at Vicksburg and at Gettysburg, 900 miles apart. They have to give us a great deal of detail, and yet they have to present to us the pieces as part of the whole. Probably very few students of war could say without reference to a table of events and dates that Vicksburg was surrendered the very day that the confederates began to retreat after the terrible repulse at Gettysburg. Now this volume is designed to put before us the relation between the fighting in the western and central theatres of the war and that in the eastern theatre, tracing the important features of the river war, the fall of New Orleans and of Vicksburg, the severance of the confederacy from its recruiting ground in Texas and the prairie territories, the consequent concentration of the federal strength upon the Tennessee in the central theatre, down to Sherman's great march to the sea and Thomas's crowning victory of Nashville. Then, and not till then, Lee's defence collapsed in Virginia. Monographs cannot present to us this picture. Even the late Colonel Henderson's classic work on Stonewall Jackson gives only one point of view. But Mr. Wood and Major Edmonds have done what a whole series of able monographs would fail to do, taken us from one point to another until we feel that we can understand the main features; and this is done in a single volume. Only one criticism here occurs to us. The naval operations are described quite at the end of the book, from p. 467 onwards, and the fall of New Orleans is barely mentioned on p. 248. If Farragut's ascent of the Mississippi had been related in its right place, according to date—April 1862, two months before Lee and Jackson fell on McLellan in eastern Virginia, the same month when Grant was working down the Tennessee towards the Middle Mississippi, and fourteen months before his advance on Vicksburg—the sense of perspective would have been satisfied. It is of less importance that the attacks upon Charleston are in the same late chapter, together with the federal occupation by sea of isolated positions on the coast of North and South Carolina.

If Englishmen are to draw profit from such works, a reviewer would like to recommend the study of this war—in this volume rather than in the monographs, for it sums up many important questions—to the politician not less than the historian. England is vitally concerned on the questions of preparation for war and civilian control. The men of 1899 need to study America rather than Germany. A definite problem was before Bismarck and a clear duty before Moltke, and each had the time and the means for preparation; Prussian officers were imbued with the teaching of Clausewitz, and things went right because the commanders of corps

knew what to do, especially in face of an unenterprising enemy; the line of attack was marked out by natural geography, and the area of operations was confined, whether in Bohemia or in Alsace-Lorraine. Lincoln had to face a sudden storm, he had a mere handful of West Point officers, he had to create armies of men who had no traditions, and the war was not confined to Virginia. But for all his faults Lincoln's fame is secure. We ask if McLellan, unfettered by civilian control, could have done better, or if Grant's grasp of the main problems could have been anticipated when the war began. On the other hand President Davis's fatal restraint upon Lee had far-reaching results. The cause of the confederacy depended on the extent to which initial success could be utilised. Davis lost his chance, and then Lincoln's tenacity prevailed. But it was tenacity based on the knowledge of the resources of the north in men and material; given time, the right stuff could be turned out by a nation which has a genius for mechanics. Here we think that our authors have failed to press home their argument. We want more facts of the superiority of the northerners in equipment, the nature and range of their weapons, the ability of their workshops to cope with the demand. At first it appeared that they merely manufactured good rifles for the confederates to pick up from the field of battle. Yet mechanical knowledge very soon turned out the 'Monitor,' and, when she went down, a swarm of improved 'Monitors,' besides the gunboats which won control of the Middle Mississippi. The confederate ironclads failed not only from inferiority of technical knowledge, but from lack of material. The north had the iron and coal and the artificers; the south in vain tried to make good engines and armour-plates out of what was practically a lot of scrap iron. Such facts, difficult indeed to collect, are wanted in the history of this war as much as facts concerning the continental system in the Napoleonic wars. Next we think of the supply of men and the question of straggling. The American national tradition was wrong; ever since the war of independence untrained and badly organised levies were preferred to regulars. But Lincoln persevered. The importance of training and discipline is as clearly marked in this war as in the autumn campaigns of 1870, when a similar bad tradition, caused by ignorance of the issues of 1792 and 1793, made Frenchmen think that to have a republic was in itself a promise of victory. Details of organisation, of the quality of the troops engaged, whether Virginians or Texans, from Wisconsin or New England, of the waste and exhaustion of Lee's and Jackson's veterans, and similar points would have been invaluable, but we acknowledge that to procure them would have been a lengthy and difficult task.

When we turn to the descriptions of the battles we are forced to appreciate the restraint which the authors have put upon themselves. With an immense amount of material from which to work they have satisfactorily condensed. The most difficult chapters to follow are those on the Peninsular campaign, where condensation has tended to produce obscurity. Where there are disputed points notes are added, as after the accounts of Shiloh, Chancellorsville, and Gettysburg. The difficulties that beset both McLellan and Lee are shown, and the battle on the Antietam, a very critical engagement, receives as much care as Gettys-

burg. Of course the Shenandoah valley campaigns figure prominently, and in a history of the war as a whole we find, as we have the right to expect, the victories of Sheridan as a pendant to those of Jackson after an interval of two years. But all the fighting along the Shenandoah is naturally connected with the main events in Virginia; Cedar Creek is only fifty miles from Manassas. The merit of the book is that, between the same covers, it give us the campaigns on the Cumberland and Tennessee and Mississippi *pari passu* with those on the Shenandoah and James. The vastness of the area makes us realise the nature of the struggle. It was unique of its kind, because the Seven Years' War, though spread out over a greater surface, was less intense and the interests of the competing nations were very different, and the Napoleonic wars were great through the number of the countries concerned. But here was a struggle over a vast area, one single point was at issue, and the combatants were of one race and speech, and fought until, owing to the very immensity, the South was exhausted and collapsed, 'nibbled away at all sides and ends.'

While we thus praise the general conception we need not criticise style. If solid information has to be compressed within certain limits we do not want fine writing. It is enough to say that the book can be read with pleasure, but we have to read slowly and closely. The maps are satisfactory, but detailed plans of the positions at the second battle of Manassas and at Fredericksburg are missing. The retrospect in the concluding chapter is very much to the point; here we have the contrast between Lincoln and Davis. Lee of course stands out prominently, and we see his power of taking the measure of his opponents, also Jackson's genius and Longstreet's slowness to understand and play up to Lee's ideas. On the other hand it is pathetic to follow Lincoln's first efforts to find the right man, and pleasant to recognise Meade's patriotic co-operation with Grant when he might have stood on his dignity on being superseded in spite of his services at Gettysburg. The author's sense of the value of each general's work is conspicuous. They sum up Grant when they say that 'his true objective was not so much Richmond as the army of North Virginia . . . "Wherever Lee goes, there you will go too."' Meanwhile Sherman, and then Thomas, were by their movements out west making the final triumph secure. J. E. MORRIS.

International Law. By L. OPPENHEIM, LL.D. Vol. I., Peace; Vol. II., War. (London: Longmans. 1905, 1906.)

Commerce in War. By L. A. ATHERLEY-JONES, K.C., M.P., assisted by HUGH H. L. BELLOT, D.C.L. (London: Methuen. 1907.)

DR. OPPENHEIM describes his treatise as a book for students, written by a teacher, and he indicates that his classes at the London School of Economics are largely composed of persons who have no legal training. These circumstances account for the form of his exposition: he founds himself on the best systematic works, both English and foreign; a brief but adequate list of authorities is placed at the beginning of each section. The practitioner may perhaps prefer a treatise with a larger admixture of case-law; but we have no book which can more safely be recommended

to an industrious student who wishes to master principles before applying them. The general arrangement is admirable; the style is careful, though sometimes a little cumbersome. Solid merit is the distinguishing characteristic of these volumes, and we hope that new editions will be called for. When Dr. Oppenheim has the opportunity, he may add to the interest of his book by giving us a larger number of illustrative cases; he can make room for them by shortening some disquisitions which are more necessary in the lecture-room than they are on the printed page.

Commerce in war is a subject for practising lawyers, and Mr. Atherley-Jones is well qualified to deal with the numerous questions which have been contested in the courts. He has given a large volume to one part of the field covered by Dr. Oppenheim's treatise, and he is thus enabled to give a full account of treaties, ordinances, and decided cases. Great wars and revolutions always produce a crop of litigation; indeed, a fairly complete history of Europe and America might be put together out of materials gathered from the trackless wilderness of the Reports. The frank interchange of criticism between the lawyers of different countries lends a certain liveliness to the subject, and Mr. Atherley-Jones has given his views on certain well-known decisions and executive orders with trenchant vigour. His book will certainly be welcomed by his own profession; it is noticed here only as a book which deals with a subject which may be regarded as a by-product of history. T. RALEIGH.

Manuel de Bibliographie Biographique et d'Iconographie des Femmes célèbres. Par un vieux Bibliophile [A. UNGHERINI]. (Turin: Roux. 1892-1906.)

A DETAILED examination of Signor Ungherini's remarkable book serves to modify in no small degree the impression that may well be formed on a first inspection. The substantial merits outweigh beyond all comparison some real weaknesses, such as catch the eye at once and are likely to assume undue importance until the strong points of the work become familiar. The Bibliography of Lives and Memoirs of Famous Women of all Countries and all Times, including correspondence, and in a few cases fiction which is biographical, occupies in the aggregate about nine-tenths of the three volumes. The book obviously grew beyond all expectation on the author's hands. The first volume, issued in 1892, was meant to be complete in itself; the second, entitled 'Supplément,' is dated 1900; and when the author was compiling the third, which appeared in 1906 as a 'Second et dernier Supplément,' he wisely added an elaborate 'Index alphabétique ou Répertoire général des femmes citées dans la Bio-Bibliographie, avec additions et rectifications.' In fact the index is a third supplement as well; it adds many new names, and, as the author avows most frankly, serves to amend a serious fault—the fact that the alphabetical lists of names in volumes i., ii., and iii. are in the main independent of each other. The index is so well planned and so carefully executed that the present writer, after practical trial of it, gave up his original opinion as to any serious inconvenience being caused by the arrangement of the matter of the *Bibliographie*. The reader turns at

once to the information required, without any baffling uncertainties, and the one necessity is to remember the author's reiterated advice: 'Always begin with the index.' It is true that five pages of 'Additions' follow the index, but no one will quarrel with the passion for completeness which prompted this small inconsistency of method.

In dealing with well-known historical names the *Bibliographie* is probably at its best. English titles have no doubt been a difficulty, and other slips are not entirely absent (for instance, the husband of Emma Lyon is styled 'Lord W. Hamilton'; Margaret Drummond, who died in 1601, is said to have been the mistress of 'James VI of Scotland,' and Mary Seton to have died 'after 1675'); but the great books seem to be duly noted, and in the case of names which are not English—and by no means in these only—a comparison with the British Museum Catalogue, including its Supplement, gives a vivid impression of the great independent value of this book. The author tells us that a contributor has sent him a complete list of German publications on his subject from 1850, and French and Italian historical writers are very fully represented. The lists of portraits, whether paintings or engravings, which are subjoined to many of the lists of lives will save much trouble; the few that I was able to examine seemed satisfactory.

There is evidence of a most strenuous effort to make the *Bibliographie* exhaustive, especially by bringing it up to date. Numerous references are given to books published in 1905, and, within the limits prescribed by his design, the author's industry has won a remarkable success. Any one will readily discover that some prominent names are wanting, but I found that in the cases investigated the same explanation was almost always applicable—that is, that no lives of the persons omitted were to be found by ordinary means, except indeed in encyclopedias and the like, which Signor Ungherini as a rule does not quote (II. ix). This was the case with eight out of nine literary names of some prominence noted as missing, and a 'privately printed' memoir was all I could find for the ninth. The list of artists is possibly less complete, and that of great ladies who were leaders of society. The great majority of the references are to substantial books, old and new. The *Dictionary of National Biography* is quoted at times, but rarely, and no systematic use seems to have been made of it. Numerous collections of short lives have been ransacked, and a certain amount of periodical literature, chiefly, but not altogether, of the weightier kind. In a few cases a reference is given to an article in a newspaper. Some slight touch of the accidental does no doubt appear in the choice of authorities; the cause is probably the same as in the great A.L.A. *Portrait Index*, lately issued—that something must unavoidably be left to the free choice of volunteer helpers.

Nothing has been said as yet of the three minor sections of the book, which, in spite of undoubted imperfections, have an extraordinary value of their own. A hundred pages or so are devoted to lists of (1) biographical books of all countries, (2) books on portraits, and (3) books on autographs. The author has spread his net widely: a surprising number of books on his special theme have been collected, but he has taken a large view, and has not confined himself here to books which deal exclusively or principally with names of women. Biographical works are

grouped in a convenient way as 'General' and 'National or Local,' the latter being placed under heads—'Allemagne,' 'Amérique,' 'Turquie,' etc. None of these lists are included in the index, but their comparative brevity, with the classification of the items, prevents any great inconvenience. About the books on portraits one can only say that the lists are exceedingly helpful; the amount of information not readily accessible elsewhere is immense; and I for one have reason to be sincerely grateful to the compiler. At the same time some defects are surprising. There is no mention, for instance, of Lund's *Danske Malede Portræter*, or, among English books, of Mr. Cust's *Illustrated Catalogue of the National Portrait Gallery*, or of many illustrated works on miniatures—the catalogue issued by the Burlington Fine Arts Club, or the works of Dr. Propert, Dr. Williamson, Mr. Foster, and others. Even a reference to a magazine article by Mr. Foster is obscured by a freak of the compositor: the explanation of 'Miniature printing' (ii. 605) as a variant for 'painting' seems plausible.

The printer, indeed, has a good deal to answer for. English spelling has often been a stumbling-block, that of English proper names most of all. The author too explains that he has often had to trust, without verification of details, to information just as it was sent to him. But slips like 'Great Thoughts' or 'vit' or 'Vorrall' are not likely to mislead, nor even 'Brönte,' which alternates with 'Brontë;' more serious, perhaps, are 'Barret Browing' and the 'Gaston Letters.' The printer is much more at home in French, Italian, and German. The typography is good: the page is not unduly crowded; and the book can be used with comfort. It may fall short of being an authority to quote with perfect confidence in the accuracy of all details, but yet it will be found invaluable as saving time and labour.

T. W. JACKSON.

Les Sources de l'Histoire de France, des Origines aux Guerres d'Italie.

Par AUGUSTE MOLINIER, Professeur à l'Ecole Nationale des Chartes. III-V. VI: 'Table Générale.' Par LOUIS POLAIN. (Paris: Picard. 1908-6.)

IN October 1902 this Review briefly noticed the first two volumes of M. Molinier's admirable work (vol. xviii. p. 816). Before dealing with the remainder we waited for the appearance of the general index, which, owing to the sudden death of the author, was undertaken and has now been completed by Monsieur Louis Polain. Vol. iii., which appeared in 1908, deals with the later Capetians from 1180 to 1828; vol. iv., including a provisional index, is devoted to the Valois, and vol. v., including a similar index, contains a copious general introduction, and covers the period 1461-94. Vols. iv. and v. both appeared in 1904. Vol. v. was carefully revised by M. Charles Bémont.

This handbook, as to the erudition, lucidity, and information of which all scholars are agreed, does honour to French scholarship in general and to the Ecole des Chartes in particular. The 'General Introduction' is a masterpiece of historical criticism, in which the author studies the evolution of historiography in the middle ages. It is a *résumé* of the whole book, in which the salient points are brought into relief with the utmost

firmness of touch, and in which the author explains the principles of his method. We will only mention, as being of special interest, the sections on the lives of saints, on the origins of the Carolingian Renaissance, on the state of historical study in the tenth century, on the importance of local sources in the eleventh century, on the mutual relationship of these sources and the centres of historical study at this epoch (§§ 102-5), on the classification of the chronicles of the feudal epoch, on the history of the crusades, on history in the vulgar tongue of the twelfth and thirteenth centuries, and on the historical sources of the Hundred Years' War. The second part of the 'General Introduction' brings before us the critical qualities of certain medieval authors, such as Guibert de Nogent, Robert d'Auxerre, and Bernard Gui, bishop of Lodève, pointing out at the same time that they are exceptions to the almost universal credulity of medieval historians. The writer traces the progress of the comparative method from the fifteenth century onward, and indicates the influence exercised on the revival of historical studies by the Benedictines, the Bollandists, by the great lay scholars, such as Du Cange and Baluze, by the Académie des Inscriptions et Belles-Lettres, by the Ecole des Hautes Etudes and the Ecole des Chartes.

The whole book will serve as a basis for the work of students and historians, and we should like to see the 'General Introduction' translated into English, in order to stimulate in the students of our universities a taste for medieval history, and in order to give them a model of historical generalisations based on precise facts. L. M. BRANDIN.

History for Ready Reference : from the best Historians, Biographers, and Specialists. By J. N. LARNED. With numerous historical maps from original studies and drawings by ALAN C. REILEY. Revised and enlarged edition, in six volumes. (London : Heinemann. 1906.)

THE appearance of a new edition of this ponderous encyclopaedia of history is some indication that it has proved useful to a section of teachers and students of history; and indeed we know of no other publication which aims at fulfilling exactly the same function. It differs from other encyclopaedias in that it consists not of original contributions but of extracts from previously published works which are so arranged as to supply a connected account of the various subjects. To this rule the maps and genealogical and other tables are an exception. The maps vary in value and in the amount of detail included; that, for instance, of South Africa in the sixth volume is far more detailed than the maps of Europe, which generally suffer from excessive scantiness in the effort to achieve clearness. The difficulties in the way of such a compilation are enormous. The best authorities on any given point have often written at too great a length to be admitted to these pages, and the inclusion or exclusion of excerpts has been determined not so much by considerations of scholarship as by convenience of length. For instance, the account of Louis VI of France is taken from Miss C. M. Yonge's little manual of French history; better accounts are of course available, but they would have been too long. Similarly the description of the Fronde is from an anonymous article in *Temple Bar* magazine. The chief authority on the Manor is Mr. C. McL.

Andrews, the account of Feudal Tenures is taken from Taswell-Langmead, and so is the article on Domesday Book; it is true that it is supplemented by extracts from the better works of Mr. Stuart Moore and Isaac Taylor, and there is a bare reference to Maitland's article in the *Dictionary of Political Economy*. But there is no mention of *Domesday Book and Beyond* nor of *Township and Borough*; indeed, nothing at all is said about the origin of the Borough, and the book is sadly defective as a work of reference for medieval constitutional history. There is no hint of the newer view of Magna Carta, suggested by Maitland and developed by Mr. McKechnie; though on the other hand it should be mentioned that Stubbs's theory of Folkland is corrected by an extract from Professor Vinogradoff's article in this Review, vol. viii.

Turning to a later period, we find that the history of England in the sixteenth century is largely made up of extracts from David Hume and Mackintosh; while that of Germany during the Reformation comes from Robertson, D'Aubigné, and Dunham. Side by side, however, we find extracts from Ranke, Doellinger, and Stubbs, so that good grain and chaff are liberally mixed in one farrago. An Englishman might criticise the sense of proportion which allots two hundred pages to the history of England and more than twice that amount to the history of the United States of America; but all historians would deprecate the devotion of one whole volume to the history of the six years from 1895-1901. There have been more momentous epochs in the history of the world, and on this scale the other five volumes would only take us back to 1865. Apart from these questions of proportion, the principal defect in the work is that it is an encyclopaedia of the common knowledge of history rather than of historical scholarship. The student will nearly always find in it something of what he wishes to know; he will rarely find all he wishes to know. For that reason it will be of little use for the purposes of research; but it will be invaluable to the journalist, the politician, and the teacher of undergraduates.

A. F. POLLARD.

Short Notices

A WORK which has long been urgently needed by students of Latin manuscripts has been happily set on foot by Dr. M. Vattasso, of the Vatican Library. His *Initia Patrum aliorumque Scriptorum ecclesiasticorum Latinorum*, of which the first half lies before us (Romae: typis Vaticanis, 1906), comprises an index of the incipits of the entire contents of Migne's *Patrologia Latina* and of all the works in the *Patrologia Graeca* which possess Latin translations earlier than the year 1500, as well as of the works included in various well-known collections edited by Mai, Pitra, the monks of Monte Cassino, and others. The book is excellently printed, and will prove invaluable for the purpose of identifying anonymous and wrongly attributed manuscripts. It must at once supplant the *Initia Librorum Patrum Latinorum* produced by the Vienna Academy in 1865, because that index, however useful so far as it goes, does not deal with the whole of Migne's Latin series; although, on the other hand, the Vienna book has the advantage of specifying after each incipit the title of the work to which it belongs, while Dr. Vattasso's gives only the number of the volume. The present index, of course, stops short at 1216, the terminal date fixed by Migne: it therefore only just overlaps Mr. A. G. Little's *Initia Operum Latinorum*, which is constructed on a somewhat different plan and runs on to the fourteenth century.

I.

Historical portraits offer a vast field for labour which has hitherto been too much neglected, and the American Library Association is to be congratulated on the public spirit it has shown in publishing a *Portrait Index*, edited by Mr. W. C. Lane and Miss N. C. Brown (Washington: Government Printing Office, 1906). It is a work designed, however, not for the historical student, but for use in large and small libraries, publishing houses, and newspaper offices, and 'confines itself to portraits in books and periodicals and in published collections:' that is to say, it takes no account of original portraits, either painted or engraved, unless they have been reproduced in some volume; engravings published separately are not included. Hence the chief need of the student—a guide to existing original portraits—is not supplied, except incidentally, by this index. But in many instances the whereabouts of the original pictures are indicated, often with a useful note. Among portraits of Venetia, Lady Digby, for example, two miniatures by Peter Oliver are mentioned—one in the collection of the late Baroness Burdett-Coutts, the other, 'aged 82,' at Sherborne Castle. It is another merit that

no narrow limits are set in defining the form of an original portrait, if it has been reproduced. Published portrait statues, heads in stained glass and from monumental brasses are all entered. In the field selected the work has been done accurately; the information in each entry is clearly given, and the amount of labour devoted to the task commands respect. Unluckily according to the compiler's plan the better a portrait is known, and the more commonly it has been used for illustration, the more space it occupies in the index. And since few obscure books and many popular ones have been treated the volume has assumed huge dimensions—not entirely in proportion to its value. It is also to be regretted that, as the editors confess, a certain amount of hazard has governed the choice of books indexed. They have not gone much beyond the material offered by voluntary contributors. But it is a pity that they were not able to see that a series once begun should be completely used. For example, Gardiner's *Cromwell*, Creighton's *Elizabeth*, and some others of Messrs. Goupil's finely illustrated biographies are included, but not Mr. Airy's *Charles II.* The Catalogue of the Burlington Fine Arts Club Collection of the School of Ferrara is here, but not that of the Exhibition of Miniatures, which is obviously more germane to the purpose of the work. A peculiarity of classification may puzzle English readers. The successive holders of a given title of nobility are numbered onwards from the earliest in date without regard to later creations to other families. Thus Shakespeare's friend Henry Wriothesley, the third earl of Southampton, figures as the fourth earl, Thomas Fitzwilliam counting as the first; and Robert Devereux, beheaded in 1601, is styled the nineteenth earl of Essex.

R. E. P.

Dr. Henry Burt Wright's monograph on *The Campaign of Plataea* (Newhaven: Tuttle, Morehouse & Taylor, 1904) gives an admirable survey of the evidence bearing on what is, perhaps, the most elaborate and important of the various sections of the History of Herodotus. He does not attempt to put forward original views on the many questions involved, but is content to select from the evidence at his disposal those views which appear to him to be most sound. It is inevitable that, on a question so complicated, a reviewer who has first-hand knowledge of some of the evidence in question should fail to find himself in agreement with Dr. Wright's conclusions; but it is impossible not to admire the completeness with which this monograph presents the existing evidence. Of the more general conclusions that which appears to be most disputable represents the account of the campaign as having been written from the Athenian point of view. That Athenian bias is present in the story is undeniable. It must be admitted that many elements in the tale are of Athenian origin, and tend to pervert facts in favour of that people. But there are other elements to which such an origin cannot be ascribed. The story is, in fact, like many other stories in Herodotus, a composite one, drawn from at least two, and possibly from more than two, sources. The Spartan element is just as noticeable as the Athenian. Taken as a whole, the work is valuable as a summary of the ancient and modern evidence with regard to the events at Plataea, but is not a very safe guide to the best solutions of disputed points. Still the

summary of evidence is so complete that Dr. Wright affords his readers ample means of forming their own judgments from the facts adduced.

G. B. G.

The title of Dr. Lynn Thorndike's essay on *The Place of Magic in the Intellectual History of Europe* (New York: Columbia University Press, 1905) might convey too extensive a notion as to its scope. It is not an investigation of the nature, origin, and results of the belief in magic inherent in the earlier stages of western civilisation. On the anthropological side (though the author seems to have read Dr. Frazer) the work is incomplete, and still more so on the psychological. It is primarily a literary study of the opinions of certain ancient authors with regard to magic. The starting point is taken from Pliny's *Natural History*, though the chief Greek philosophers are dealt with in a retrospective chapter. The study extends down to the works of Synesius and Macrobius, and includes an examination of some early opposition to magic. The author is certainly successful in showing (what, perhaps, might not have seemed to require demonstration) that the occultism and superstition of the middle ages did not succeed to a time of philosophic illumination under the empire, that the ancient arguments against magic were generally partial and ineffectual, and that the most advanced thinkers of the ancient world had a somewhat different outlook from that of the modern man of science. Occasionally, however, the author seems to commit the error against which he so forcibly warns us, and to treat some of those writers as if their object had been to provide posterity with scientific handbooks. Thus he deals very cavalierly with the myths of Plato, and allows little licence for the play of fancy in later speculations on dreams and omens. He seems to enlarge the field of magic unduly when he would make it comprise Philonian allegory. The term *mysticism* is vaguely used as indicating mere fancifulness, and the conception of the cosmos as a whole seems to be regarded with suspicion as favouring a belief in occult sympathies and antipathies. Nevertheless, the book is based on independent study and, as has been said, it abundantly proves its point.

A. G.

M. Jean Guiraud's *Questions d'Histoire et d'Archéologie Chrétienne* (Paris: Lecoffre, 1906) is a collection of essays upon eight subjects—the repression of heresy in the middle ages; the morality of the Albigenses; the 'Consolamentum' or initiation of the Cathari; the alleged copying of St. Francis by St. Dominic; De Rossi (1822–1894); the visit of St. Peter to Rome; the Roman relics in the ninth century; and the spirit of the catholic liturgy. The first of these contends briefly that heresy was anti-social and often immoral, and hence that its treatment was justified. But the argument is pressed too far, and the discussion of Wycliffe, for instance, is far from satisfactory or even correct; some of the statements could not easily be proved, such as that *l'idée de patrie était rejetée par Wiclef et par ses disciples*. The essays which treat of the Albigenses and the Cathari have an easier task. The comparison between St. Dominic and St. Francis certainly need not, as the author points out, suggest plagiarism; each had only need to copy the Gospel.

The account of De Rossi is interesting and well put. The discussion of St. Peter's relations with Rome might have been strengthened by fuller reference to English writers, and, if entered upon at all, demanded a more complete handling of some Biblical and critical problems. Probably most readers will agree with Professor Guiraud in considering St. Peter's visit more certain than his twenty-five years' episcopate, but they will differ from him as to the probability of the latter. The essay upon Roman relics raises some difficult questions, but it summarises much interesting information. The closing essay upon the liturgy takes perhaps too apologetic a tone—certainly more so than is needed among English scholars—but the appreciation has much literary power. Here the conclusions might have been reinforced by bringing the study down to later centuries, in which again English scholars have done good work. Professor Guiraud has certainly chosen good subjects, and, lest some of this criticism should seem severe, we add that the wideness of his field makes it almost impossible to expect from him throughout the same thoroughness as he shows in the earlier centuries. J. P. W.

It is distressing to see arduous labour misdirected, and therefore unproductive. Bishop A. E. Medlycott's *India and the Apostle Thomas* (London: Nutt, 1905) is a work, evidently, of love and of diligent compilation, but of such a character that the whole subject still awaits a competent investigator. The author is concerned to demonstrate that St. Thomas was martyred at Mylapore, on the Coromandel coast. He calls legitimate attention to the circumstance that the king Gondophares, for many ages known only from the *Acta Thomae*, has been rediscovered as a king in the neighbourhood of Kandahar in the first century A.D., some of whose coins have come to light. Inferring from this that the *Acta* may be historical, Bishop Medlycott deduces some facts of the apostle's life, and, quoting various authorities, declares that after martyrdom the saint's body was buried in India, and translated afterwards to Edessa, whence much later it was carried to Ortona. Although our ignorance of men's mental and moral habits in the age of the translation to Edessa makes it impossible for us to assert the fact as irrefragable, the case of St. Cuthbert's relics, now preserved at Durham, shows that the preservation of St. Thomas's may very well be a fact. But when we have said this much we have said all that can be said so far as Bishop Medlycott's work goes. To begin with, he appears to have no satisfactory knowledge of Greek. Generally the quotations from Greek authors are made in Latin or other translations; if the Greek is given it seldom shows an accent, and in one place (p. 146) where it does the result would be ludicrous were it not melancholy—*οκεδόν* represents *σχεδόν*. He certainly mistranslates (p. 74 ff.) a passage from Gregory of Tours which is of serious importance to his argument—it unmistakably describes a feast at Edessa, not in India, in December, not July—and this is confirmed by the evidence for a feast at Edessa quoted by the author on p. 106. He hardly appreciates as he should that late writers are not of equal authority with earlier for substantiating the truth of a statement: he does not see that they may be resting upon the earlier authority as entirely as he does. Lastly, when it comes to the crucial question of the evidence for the name Mylapore

his methods of determining the true reading in Ptolemy's *Geography* are lamentably crude. He regards the Latin translations in the early printed texts as independent witnesses—so that, even though his conclusion be correct, it cannot be accepted till some one else who has had some palaeographical training has gone over the ground. The evidence given in this book seems to carry the apostle to Persia and Afghanistan, and no further.

T. N.

Sir David (in religion, Dom Oswald) Hunter Blair has brought out a second edition of his translation of *The Rule of St. Benedict* (London: Sands [1906]). The Latin text has no critical value, except as representing the late-medieval form accepted at Monte Cassino; but the translation is scholarly and in excellent English, and can be recommended without reserve. If a layman may venture to dispute the translator's accuracy in one monastic term we should be inclined to object to the use of the technical word 'server' for the *septimanarii coquinae* (p. 108). The few notes at the end of the volume are learned and helpful; but it is not the case that 'all the manuscripts' read *typo* in ch. xxxi. The St. Gall MS. of the eighth century has the correct *tifo*, i.e. *typho*.

K.

I titoli di nobiltà nell' Italia bizantina, by Signor Guido Bonolis (Florence: Seeber, 1905), is a useful contribution to the history of the titles *patricius*, *consul*, *comes*, and *dux*. The following points may be noted. We know definitely from the formula of Cassiodorus that in his time the patriciate was a dignity held for life, and it is reasonable to suppose that this was so from its institution by Constantine. There are, however, two texts which have made it possible to argue that it was at first only temporary. The first occurs in the Acts of the first session of the Council of Chalcedon: ἀπὸ ἐπαρχῶν καὶ ὑπάτων καὶ πατρικίων. But in the Acts of the second session, as the author points out, we find the same senators designated ἀπὸ ἐπαρχῶν καὶ ὑπάτων καὶ πατρικίος, and this makes it virtually certain that in the first case πατρικίων is a scribe's error for πατρικίος. The other text occurs in a constitution of Zeno (Cod. Just. 8, 24, 8): *patricio vel expatricio*. Bonolis is probably right in explaining *expatricio* as meaning a patrician who had vacated some post that at that time was generally entrusted to a man of that rank. In any case, this text is isolated, and we may consider it established that Constantine's new patricians received, as we should expect, the title for life. In investigating the *comitiva*, it would have been well if Bonolis had consulted what has been written on the subject by Seeck. The same question arises here: whether the *comitiva* was for life or not. Bonolis reaches the conclusion that the *comites certi officii* lost the title on laying down their office, but that the *comitiva* of the three *ordines* was for life. He points out that the traffic in honorary titles which was discouraged in the fifth century increased under Justinian; in whose time *ex-consul* displaced the old *consularis*. Later, *ex-consul* is superseded by *consul* (ὑπατὴρ); for a considerable period the two terms are used indifferently (as in the *Liber Pontificalis*). (The note on p. 48 is not intelligible.

What is 'Cost. 94 di Leone III'? It should be explained that 'Nov. 105' refers to a law of Justinian.) In the last sections of his dissertation the author has not made sufficient use of the Byzantine material. J. B. B.

Signor Carlo Maria Patrono, who is preparing a monograph on the reign of Maurice, in a preliminary pamphlet entitled *Contro la paternità imperiale dell' Οἰψυκлов Τακτικά στρατηγικά* (Estratto della *Rivista Abruzzese di Scienze, Lettere, ed Arti*, Anno xxi, 12, Teramo, 1906), strongly combats the ascription of the *Strategicum* to that emperor. The article, however, does not profess to be much more than a summary of that of Dr. Vari, *Zur Überlieferung mittelgriechischer Taktiker*, in the *Byzantinische Zeitschrift*, xv. 47 ff., and the few arguments which the author adds are somewhat far-fetched and do not materially strengthen the case. The last three pages were added after the article was composed as an answer to that of M. Aussaresses in the *Revue des Etudes Anciennes*, viii. 28 ff., in which the opposite opinion is maintained, and are the most satisfactory part of the work. Surely the extraordinary 'basileus Patrikios' (p. 9, ll. 7, 10, p. 14, l. 18) should be 'Basileios Patrikios.'

E. W. B.

In his disquisition on *Die angeblichen Fälschungen des Dragoni* (Leipzig: Deichert, 1905) Professor Ernst Mayer endeavours first to exculpate Dragoni, who was a canon and primicerius of Cremona in the earlier part of the last century, from the charge of forging a series of documents of great importance for the history of his city (twenty-three of them are included in Troya's *Codice diplomatico Longobardo*), and secondly to vindicate the genuineness of the documents themselves. In the former object the learned writer has won his cause, but his defence of the documents, at least so far as the older ones are concerned, is less successful. The penetrating arguments brought against them by Professor L. M. Hartmann in the *Mittheilungen des Instituts für Oesterreichische Geschichtsforschung*, xxvi. 4 (1905), appear to us convincing; and the subsequent discussion in the same publication, xxvii. 859-78 (1906), conducted with admirable temper on both sides, does not alter our opinion.

L.

Professor Paul Fredericq must be heartily congratulated on the completion of the medieval section of his *Corpus Documentorum Inquisitionis haereticae pravitatis Neerlandicae*. This work has been in progress among students of the university of Ghent, under the direction of the professor, for nearly a quarter of a century, and the continual discovery of new materials was inevitable. The first volume, published in 1889 (see *ante*, vol. vii. p. 851), comprised a chronological series of 487 documents, running from 1025 to 1520, with a short supplement. The second (1896; see *ante*, vol. xiii. p. 896) contained 185 more documents to be inserted in vol. i., again with a supplement. The third volume, which now lies before us (Ghent: Vuylsteke, 1906), brings three supplements more, the documents in which are numbered consecutively. It is to be regretted that here the reference numbers within parentheses mean different things in the case of the second supplement (pp. 161-8) from what they mean

in the first and third (pp. 1-160 and xii-xvii) : in the former case they indicate the place where the documents should be inserted in the first supplement of the volume, in the others the place which they should occupy in the chronological arrangement of vol. i. The inconvenience involved in there being in all no less than seven distinct series of documents is to a large degree met by the complete chronological list printed in the present volume; but even this has the drawback that it introduces a new scheme of enumeration, adjusted to the total finally reached, and does not give the numbers, which the documents bear in the several volumes : it supplies, however, exact references to volumes and pages. The volume includes also chronological lists of heretics and inquisitors, and admirably copious indexes. M.

A tract by the Rev. Christopher Wordsworth on *The Precedence of English Bishops and the Provincial Chapter* (Cambridge: University Press, 1906) deals specially with the rank of the bishop of Winchester in council, and with the offices of the bishops of Lincoln and Rochester in the provincial chapter. The difficulty about the bishop of Lincoln's position in the provincial chapter is, we think, successfully explained on p. 70. The pamphlet contains a great deal of evidence which it was well to put together; but there are too many repetitions and afterthoughts. In one case a repetition leads to a contradiction (compare p. 10 f. with p. 62, where by the way 'Canterb.' is a misprint for 'Cantabr.'). N.

Professor Henri Sée, of Rennes, author of the well-known book on *Les Classes rurales et le régime domanial en France au Moyen Age* (see *ante*, vol. xvii. 928-82), has published in the course of the *Annales de Bretagne*, vol. xxi. 1905-6, four lengthy instalments of an important monograph on *Les classes rurales en Bretagne du XVI^e Siècle à la Révolution*, where it will doubtless be continued in later numbers. The whole of this book has also been published in a substantial volume of more than 500 pages (Paris: Giard et Brière, 1906). It is, says M. Sée, premature for any scholar to attempt at present a general synthesis of the history of the French peasantry between the end of the middle ages and the Revolution, on account of the lack of good local studies on which such a general examination could be based. Accordingly he has abandoned his work of generalisation to go back upon the local study of Breton social life. The special interest in Brittany in this relation lies in the fact that, despite its aloofness from general modern tendencies, its economic and social conditions had been already substantially determined by reason of the disappearance of serfdom before the end of the middle ages. Restricted traces of servile tenure still remained in the *quevaise*, and a more widely spread suggestion of servile origin in the prevalence of the mode of tenure known as *le domaine congéable* in Basse-Bretagne. But the peasant, though hampered by a multitude of seignorial jurisdictions, and though poor, ill-equipped, and unenterprising, was almost invariably a free man. M. Sée has a wonderful knowledge of the published and unpublished sources of Breton economic history, and moves easily and warily amidst their bewildering detail. In a work that is frankly limited in scope there is no occasion

for reproaching him with that 'insularity' of treatment which Professor Vinogradoff complained of in his general work on the middle ages. Within its limited field his eye is sure, and he has made excellent use of his opportunities. When every great province possesses a monograph as sound as that of M. Sée's, the time will come to compose the general economic history of modern France, which the writer has renounced for the present.

T. F. T.

The Genealogist for 1906 (New Series, vol. xxii.) contains a valuable paper by Mr. G. J. Turner on Richard Fitzroy, or Richard of Chilham, bastard son of King John, in which the history of his family is set out from record evidence and several errors in respect of it are corrected. Among other points it is shown that Isabel, the wife of David, earl of Athol, was not his daughter, but the daughter of his son Richard of Dover. Mr. Turner speaks of this lady as buried in Canterbury Cathedral in 1292, and the editor in the preface to the volume calls attention to the well-known tomb in the crypt. But Mr. W. H. St. John Hope has lately examined this tomb and shown that it is a century and a half later. It commemorates, in fact, Elizabeth, wife of Sir Thomas Tryvet, who died in 1438 (*Archæologia Cantiana*, 1905).

O.

In his Romanes lecture on *Sturla the Historian* (Oxford: Clarendon Press, 1906) Mr. W. P. Ker has with a light brush and a certain hand portrayed the character of the historical literature of medieval Iceland. His masterly and vivid sketch will be found illuminating by those who know the Icelandic histories; and for those who do not, it may serve as a gate to a wonderfully interesting world. The method of Icelandic story-telling is thus admirably hit off:—

Two people of importance are talking business; a messenger comes to one of them and speaks with him apart; then he turns to his business again, and you find that there is a change of some sort; the messenger has told him something of interest, and you see this in his face and his conduct before you get it explained. The vague fact growing clearer: that is the Icelandic rule of story-telling, the invariable plan; it would be a mannerism if it were not so much alive.

J. B. B.

The *Calendar of Inquisitions post Mortem*, vol. ii. 'Edward I' (London: H.M. Stationery Office, 1906), follows exactly the plan of the earlier instalment noticed in the *English Historical Review*, xx. 607. The merits are conspicuous and obvious, and some notable improvements have been effected, especially in a slight extension of the very useful subject index, though this latter is still far from being complete. The volume itself is not quite correctly described on the back, as it contains not all the inquests of Edward I's reign, but only those of the years 1-19 Edward I. It is much to be regretted that the compiler, Mr. Sharp, has not reduced all dates occurring in the text to the ordinary years, months, and days of the Christian era. As it is, all workers will have to go through the time-wasting process of calculation necessary

before they can translate, let us say, 'Sunday, the octave of Holy Trinity, 15 Edw. I,' into the equivalent of '8 June 1287.' Is it too much to ask the deputy keeper, who has done so much to help forward the labours of historical students, to alter the plan of work in future volumes to the slight extent necessary to secure this simplification, so that the calendarer may do once for all what at present we shall all have to do for ourselves? Mr. Stamp's 'index of persons and places' is generally careful and sound, though there are a few misspellings of Welsh names and some identifications that seem at variance with philology and probability. The index-maker has valiantly grappled with many of the obscure names in his calendar, notably the great mass of difficult Irish localities. One plausible identification cannot, however, be sustained. The 'Burgus Reginae' of the *Calendar*, p. 400, is not the Kentish 'Queenborough' of the summary, or of the index, p. 648. Edward I was abroad on 22 March 1288, and reference to Mr. Gough's *Itinerary* would have shown his whereabouts. Had the editors used M. Bémont's excellent *Rôles Gascons*, they would have learnt that 'Burgus Reginae' is 'La Bastide la Reine,' now called La Bastide Chalosse, canton Haget-mau, department Landes.

T. F. T.

In his dissertation *Peter von Aragon und die Sizilianische Vesper* (Heidelberg: Winter, 1904) Dr. Otto Cartellieri studies from the Aragonese point of view the course of events in the western Mediterranean between 1276 and 1282—the policy of Peter of Aragon, the growth of Sicilian discontent, and the final collapse of the imposing power of Charles of Anjou. The author shows a very wide acquaintance with the literature of his subject, contemporary and modern; and indeed one may almost say that he uses an apparatus of learning worthy of a monumental work upon a subject to which he gives the form and the length of a mere thesis. The most interesting chapters in the book are the fifth, in which Dr. Cartellieri describes the rule of Charles of Anjou in Sicily, and the seventh, in which he sketches the attempt at a municipal federation, which followed on the Sicilian Vespers. Chapter v. is only concerned with the oppressive features of Charles's rule; but the author ought not to have set down the system of state monopolies as one of these without some explanation. That system—perhaps transmitted by the Byzantines to the Arabs, and by the Arabs to the Normans—was a permanent feature of the administration; and Commynes (vii. 18) mentions it as one of the oppressions of the Neapolitan kings at the end of the fifteenth century. The attempt at a municipal federation (*communitas Siciliae*), which is described in the seventh chapter, offers some analogies to the Lombard league; and Dr. Cartellieri's account of its origin and collapse is particularly instructive. In several appendices, as well as in the text, the author also discusses the whole story of the Vespers and the growth of the legend of John of Procida. The book contains a full index, genealogical tables, and a bibliography. It is in every way a careful piece of work; and, though there are no new views propounded, it will be found very useful for the exceedingly full references in the notes to all the modern authorities who deal with subjects on which the author happens to touch.

E. B.

The fourth section of M. A. Coulon's *Lettres Secrètes et Curiales du Pape Jean XXII* (Paris: Fontemoing, 1906), forming the first part of volume ii., covers the period from 5 September 1320 to the same date three years later. The first volume of the work was noticed in this Review in 1901 (vol. xvi. 776 ff.) In accordance with the plan laid down for the French school at Rome in dealing with the fourteenth century only those documents are printed or summarised which concern France, and these are further limited by the rejection of all letters not 'secret' or 'curial,' i.e. either proceeding from the office of the secretary of state or from the consistory. Accordingly, with the exception of promotions of prelates, the matter is mainly political. Little of it directly concerns England, though the pope seems to have busied himself in appeasing the dissensions in Guienne which ultimately led to the Hundred Years' War. One interesting letter however, which is printed in full (no. 1389), is addressed to Charles of Valois and deals with his project of proceeding to England at the head of 500 men in the winter of 1321 for the purpose of assisting Edward II against Thomas of Lancaster. For this object Charles had requested a grant of the firstfruits of vacant benefices in France for four years, which the pope refused. The principal interest of the volume consists in the deliberations preliminary to the crusade proposed by Charles of Valois for A.D. 1323-4. Most of the diplomatic documents relating to this are printed in full, together with the opinions of the envoys of the kings of Armenia and Cyprus and of certain cardinals. These documents were apparently unknown to M. Delaville le Roux when he published *La France en Orient au XIV^e Siècle*, and they add considerably to our knowledge of the political situation in the east in A.D. 1323. Among other interesting letters we may note the process of the divorce of Charles le Bel (no. 1419) and the canonisation of St. Thomas Aquinas (no. 1760).
C. J.

The first volume of Dr. Rodolfo Maiocchi's *Codice Diplomatico dell' Università di Pavia* (Pavia: Fusi, 1905) contains the documents relating to the university of Pavia during the first thirty-nine years of its existence (1361-1400). By far the greater number of them have never been printed before. The majority are diplomas of doctors. There are also lists of professors, with the amounts of their salaries; a few papal bulls, privileges and other acts of the duke of Milan or the town authorities, documents relating to the litigation of the scholars before the bishop and the podestà, and so on. Most valuable of all are the statutes of the Jurist University. The present writer remarked in his *Universities of Europe in the Middle Ages* (1895) that 'no statutes appear to be extant.' Dr. Maiocchi is to be congratulated on being able to print them. They have been recently, it appears, discovered in the archives of the city of Bâle, and were published by Dr. Hürbin in 1896. This is a good illustration of the unsuspected quarters in which university documents frequently turn up. These statutes are derived from the 1317-47 statutes of the architypal university of Bologna. There is not much to be said about such collections of documents, except that Dr. Maiocchi seems to have executed his task in an admirable manner.
H. R.

Studier i Vadstena Klosters och Birgittinordens Historia is the title of a work by Dr. Torvald Höjer (Upsala, 1905), which is of considerable bulk and is based upon very extensive researches in the subject of which it treats. To a great extent the immediate sources are still in manuscript, but the list of printed works which the author has made use of is also a long and varied one. In a short introductory chapter a brief survey is given of the condition of the Roman church during the fourteenth century, by which the contrast in religious matters and in general culture between Sweden and the more southern countries of Europe at that date is prominently brought out. It is certainly a remarkable fact, as the author points out, that the great Swedish mystic was the contemporary of Wycliffe, of Petrarch, and of Boccaccio. The work then deals in more or less detail with the incidents in Birgitta's life which led up to the foundation of Vadstena, and with the development of this institution down to the date of her canonisation, to which a special chapter is given. On this follow the history of the convent and the order from 1391 to 1414, the relations of the Birgittines to the great ecclesiastical councils in the period from 1414 to 1459, and finally the spread of the order and the history of Vadstena itself down to the middle of the fifteenth century. Four appendices deal with special points arising out of the general investigation. The seventh chapter, that on the spread of the order, is naturally that that has widest interest and most points of connexion with the history of other countries; pp. 251-8 deal with the foundation of Sion Convent in 1415, and its early history. Dr. Höjer's book is by no means light reading, partly owing to its subject, and partly to an involved style which is not peculiar to him among Swedish historians; but it is plainly a very careful piece of work, and a solid contribution to the ecclesiastical history of Sweden and incidentally of Western Europe. For foreigners, at least, its usefulness would have been increased by a full index, the place of which is but inadequately filled by the brief table of contents. W. A. C.

In *The Letters of John Hus, with Introductions and Explanatory Notes* by Herbert B. Workman and R. Martin Pope (London: Hodder & Stoughton, 1904), the translation of the letters is the work of Mr. Pope: the text adopted as basis is naturally that of Palacký, but readings given by Höfler are occasionally adopted and oftener indicated: the few letters with Czech originals are rendered into English from later Latin translations. The English version here given is always interesting and vivid. But the value of the letters, except for the biography of Hus, can easily be overrated. Since it has been generally accepted that the controversial writings of Hus are for the most part merely copies of Wycliffe's writings it has become more difficult to judge him fairly. But in order to help us to such a judgment his letters have an independent, and now an enhanced, value. As regards the character of Hus, they justify the opinion of Creighton, quoted in the introduction, that he was 'a man of childlike spirit, whose one desire was to discharge faithfully his pastoral duties, and to do all things as in the sight of God and not of man.' This is true of his character, but the letters also show us Hus in relation to the movement called after him, and in this connexion some

of the letters are interesting. Letter III. (p. 19) shows the Czech members of the university deciding in December 1408 upon neutrality in the papal struggle. Very interesting to English readers is the reply to Richard Wyche of England (see this Review, v. 581 *seq.* and vii. 806 *seq.*) Upon Hus's doctrinal position Letter IX. (p. 51) is important: 'If they have given or are giving information that I taught the people that in the Sacrament the material substance of the bread remains, it is a falsehood.' He asserts throughout that he did not teach the errors charged to him (see Letter XIV., p. 75; again at the end, Letter LXXV., June 1415, 'How can a man consistently abjure when he hath never preached, held, or stated the heresy whereof he is charged?' and also his final declaration, pp. 275-6). The various tangled threads of the controversy can be followed through the letters, and the exact importance to be assigned to the university and the popular movements respectively can be estimated. Those who know Dr. Workman's books will feel sure that the notes are painstaking and adequate; but the information given by them and by the letters would be more useful if an index had been added.

J. P. W.

Mrs. S. C. Lomas has edited *The Edwardian Inventories for Huntingdonshire*, from transcripts by Mr. T. Craib, of H.M. Public Record Office ('Alcuin Club Collections,' vii.) (London: Longmans, 1906). This volume, though slender, is a little thicker than that for Bedfordshire, which we noticed last year. Much matter, of course, is not to be expected from Huntingdonshire, which is almost the smallest county in England; but what there is is of no small interest. These inventories were taken in 1552, the sixth year of Edward VI, under a commission requiring a fresh survey of the goods and ornaments of all churches, chapels, and guilds, as, notwithstanding former inventories, much property of that description had been embezzled. That there were thievish persons ready to anticipate the action of a predatory government was most natural; and we have some light here—more than we had in Bedfordshire—about the procedure of the commission; for we have their signed reports of what they found in each of the different churches, and of how much they were good enough to leave there for the carrying on of divine service. The usual thing in most churches was to allow one chalice, two surplices, and two altar cloths. At Somersham they were so liberal as to leave two out of three chalices and all the three altar cloths they found there; but there were also four towels of diaper, four tablecloths of diaper, a number of valuable vestments, and other property which made it worth while. In this case also, as usual, the heaviest (and of course most valuable) chalice was seized for the king. Apparently the word chalice in most cases includes the paten which went with it, the disposal of which is not generally mentioned. The number of vestments which occur of different colours is remarkable. Mrs. Lomas gives an excellent analysis of all the church property in her introduction.

J. G.

We are glad to see that Dr. G. W. Prothero's excellent volume of *Select Statutes and other Constitutional Documents illustrative of the Reigns of Elizabeth and James I* has reached a third edition (Oxford:

Clarendon Press, 1906). The pagination of the body of the work remains unchanged, but a few new documents are added in an appendix. P.

The *Bijdragen en Mededeelingen van het Historisch Genootschap (gevestigd te Utrecht)* are always full of new and valuable materials, on a large scale, for the history of the northern Netherlands. Among the contents of vol. xxvi. (1905) are an account by Mr. W. A. F. Bannier of the papers of Filips van Marnix, from an inventory preserved at Leyden, with some letters of 1566 and 1577; a detailed report by Harald Appelboom, presented in June 1668, on his activity as Swedish resident in the United Provinces since 1649, and an important memoir on the Zeeland trade, drawn up in 1664, both printed by Mr. G. W. Kernkamp; and a contemporary diary from the Bentinck archives of the Doelist movement at Amsterdam in 1748 published by Dr. F. J. L. Krämer. Vol. xxvii. (1906) includes a curious description of Utrecht in the last years of the sixteenth century, written in Latin by Arnoldus Buchelius and edited by Mr. S. Muller Fz.; journals of the stadhalter William II from the years 1641 to 1650, printed by Dr. Krämer; correspondence of Sylvius and Buat, 1662-6, printed by Mr. W. del Court and Dr. N. Japikse; extracts from despatches of D'Affry to the French government, 1755-62, published from Robert Fruin's papers by Dr. T. Bussemaker; and a journal of G. K. van Hogendorp during the troubles of 1787, printed by M. H. de Peyster.

The same society has issued an index to the journals of the younger Constantine Huyghens (*Register op de Journalen van Constantijn Huygens Jr.* Amsterdam: Müller, 1906), the third and last volume of which appeared in 1888 (see *ante*, vol. iv. p. 601 f.) Q.

Under the title of *Notes on the Diplomatic Relations of England and France, 1603-1688* (Oxford: Blackwell, 1906), Professor C. H. Firth and Mrs. Lomas have drawn up two most useful lists, first, of English ambassadors and diplomatic agents in France, and secondly of French ambassadors and diplomatic agents in England. They are supplied with full references to authorities, contemporary and modern, and manuscript sources are carefully indicated. For English students it is an advantage that the collection of transcripts of state papers made for Colbert, and now in the British Museum (Add. MSS. 80525-80766), has not been neglected, for though extending to nearly 250 folio volumes it is little known. We are glad to see that the compilers propose to continue these lists and to extend them to other foreign countries. R.

The publication by the Library of Congress of *The Records of the Virginia Company of London*, of which two volumes, containing *The Court Book* (Washington, 1906), have already appeared, is an event of great importance to students of early colonial history; only extracts having hitherto been printed, edited by Mr. R. A. Brock for the Virginia Historical Society. The volumes are edited with an admirable introduction by Miss Susan M. Kingsbury. A very valuable bibliographical list of the records of the Company between 1616 and 1625, containing all such records for the earlier period as had escaped the diligence of Mr. Alexander Brown, and occupying more than 84 pages, will enable

the student to find or identify the documents, letters, and publications relating to the Company which have been preserved. Miss Kingsbury has been successful in finding new material: e.g. the judgment in the writ of *quo warranto* brought against the Company, which was believed to be lost, was discovered by her in 1908 in the Coram Rege roll of the King's Bench. She holds out some hopes that the original records of the Company before 1619 may still be in existence, and furnishes suggestive clues for the prosecution of further research. Meanwhile we must remain grateful to Nicholas Ferrar, who, at the critical moment of the Company's fortunes, 'did fairly copy out all the Court-books, &c. (which coste 50^{li}) and carried them to the noble earle of Southampton.' Ferrar was only interested in the vindication of the Sandys-Southampton administration; hence his copies began with the year 1619. There appears nothing in the Court Books, as now published, to contradict the proof contained in the Manchester and Ferrar papers, that the accusations of the Warwick party were well founded, so far as they related to concealment of the sufferings and dissatisfaction in the colony. In connexion with the abuse which was afterwards heaped upon the administration of Sir Thomas Smith and of Sir Thomas Dale, it is interesting to note the warm commendations which were given them by Sir Edwin Sandys in 1619.

H. E. E.

The Chronicle of the English Augustinian Canonesses Regular of the Lateran at St. Monica's in Louvain, 1625-1644, edited by Dom Hans Hamilton, O.S.B. (Edinburgh: Sands, 1906) is a continuation of the history of the house of canonesses now settled at Newton Abbot, and, like the earlier volume, is composed of a somewhat trivial and brief contemporary record with an editorial preface to each chapter. The interest of the narrative itself is not great, inasmuch as it is almost strictly domestic, and the lives of the canonesses within the house were not marked by much incident; but the editor's comments are a mine of information as to the history of Roman catholicism in England. Much of interest is told about such families as Radcliffe, Fermor, Musgrave, Draycote, Tempest, Pole, and others. A daughter of Lord Monteaigle's (the Lord Monteaigle of the Gunpowder Plot) is found among the sisters of St. Monica's; there are some new details as to the Lord Stafford executed in 1680, the innocent victim of the 'Papists' Plot; and there are many curious statements which show to what shifts of equivocation and direct lying the persecuted Romanists were put (e.g. pp. 9, 43), and tales of belated superstition almost as remarkable (e.g. p. 60). Interest also belongs to the view which regards Mary queen of Scots and James the third earl of Derwentwater as martyrs for the catholic faith; we read, for the first time, of the latter, that 'miracles were wrought at his tomb.' It is not our duty to pronounce upon these and similar things, but we may welcome the materials for history afforded in this volume, regretting only that more explicit information is not given as to the manuscript sources from which so much of it is derived. There are some valuable pedigrees and some illustrations of interest.

S.

In copying out *The Inscriptions in the Old British Cemetery of Leghorn* (Leghorn: Giusti, 1906) Mr. G. Milner-Gibson-Cullum and

the late Mr. F. C. Macauley set an example which deserves imitation, for there are no dates which genealogists and family historians find it so difficult to ascertain as those concerning English people who were buried on the continent. The inscriptions here published run from 1646 to 1889, when the cemetery was closed; many of them relate to persons who died at Pisa, Florence, Siena, and even places more distant. Those copied from British and American tombs have already appeared in print in the *Miscellanea genealogica et heraldica*; but Mr. M. Carmichael, who writes an appropriate introduction, has made the book complete by adding the inscriptions on the graves of persons belonging to other nationalities, of which there are many. T.

Professor Nils Edén's *Grunderna för Karl X Gustafs anfall på Polen* (Stockholm: Kungl. Boktryckeriet, 1906) consists of an address delivered to the Historical Congress at Lund (1905), which is now revised and printed in the Journal of the Swedish Historical Society. By reason both of the importance of the sequel in history and of the sane and scientific spirit in which the subject is handled, it merits close attention. Although the author frankly admits that the motives which induced Charles X to attack Poland in 1655 have not yet been made fully clear, he subjects the theory hitherto accepted to a suggestive criticism based on independent study of the relevant archives, and so depicts the political situation at the time as greatly to facilitate a sound judgment of Charles's action. In an age of general uncertainty, as he shows, the position and policy of Sweden, a *parvenu* great power, were particularly indistinct. She had lately failed (*circa* 1648) to induce the Polish Vasa to abandon for ever that claim to the Swedish crown which had long set up a state of war between the two nations. Yet Poland was in such confusion that, at the same time and subsequently, ideas of armed intervention, to frustrate the intervention of other powers and to guard their own Baltic provinces against contagion, had presented themselves to the government of Sweden. Thus in 1654 Charles came to the throne, a somewhat inscrutable statesman, but possessing 'a gradually ripened conviction that the untrustworthiness and anarchy of Poland would force Sweden into war.' Extant documents, however, contain nothing to show that he was resolved for this war from the first. The common belief that Count Schlippenbach's cynical remarks to the Great Elector proved as much is an unwarrantable interpretation of a doubtful story. The generally received account of Charles's threats to the Polish agent, Canasiles, is suspicious. On the other hand, the growing anarchy in Poland compelled defensive measures in Swedish Livonia. Then, since the Polish king still held to his formal claims against her, Sweden gradually came first to seek safety at his expense, and finally to embark on a policy of adventure in his dominions. In December 1654, after long discussions in the council of state at Stockholm, the resolve was taken which was to prove more fateful for the invading than for the invaded power. To attack Poland was substantially the solution of a complicated problem of foreign policy in which Russia, Denmark, and the Dutch were also factors of importance. It has been held that this resolve, which was carried by thirteen votes to four, embodied the necessity of a military state to make war for the

sake of war. To such a view the author objects that, far from needing war, Sweden found it hard enough to raise and equip the forces indispensable to her status as a great power. He insists, however, that at that time no European state could long remain neutral, and that for Sweden it was impossible to keep up a standing army without using it. Thus impelled towards war, and towards war with Poland, Charles struck in 1665 without a distinct object or matured plan. He was therefore fundamentally weak while he lived, and he could bequeath to his feeble successors no salutary tradition of policy. Despite all his brilliant deeds, he failed to do what his country's welfare demanded of the heir of queen Christina. Such are the main conclusions of a notable essay.

W. F. R.

The leading contributions to the sixth volume of the Danish *Historisk Tidsskrift* (1905-6) deal with subjects of some importance for the history of Denmark. The seventeenth century is represented in a minute account, by Captain Knud Rockstroh, of the initial stages in the war of 1657, together with the military operations in the Elbe district down to the end of September in that year. The other long articles relate to the nineteenth century, viz. 'The Inclusion of Holstein in Denmark in 1806,' by Dr. Aage Friis; 'The Abolition of the Öresund Toll,' by Markus Rubin; and some account, by Julius Clausen, of a society interested in the freedom of the press, which was founded in 1885. Of the minor contributions the two most interesting are by Professor Steenstrup. In one of these, on the right of the Danish kings to whales and other large fishes, he shows that a supposed fish-name *görlæ* is due to a misunderstanding of the word *al-görlæ*, 'entirely.' The other deals with the question whether a separate fishing population existed in Scandinavia in the middle ages, and answers it in the negative.

W. A. C.

The untimely death of Dr. C. R. Wilson has deprived the selection of official documents relating to *Old Fort William in Bengal* ('Indian Records' Series. London: John Murray, 1906) of the historical introduction, which would doubtless have given a description of the official and social life which clustered round the old fort. The letters themselves, however, which he lived to edit, present a lively picture of the settlement from the first foundation of Fort William, towards the close of the seventeenth century, till its conversion into a custom house, after the building of the new fort. The most interesting letter in the volumes is the account by Holwell of the Black Hole tragedy. 'Figure to yourself,' he writes, 'the situation of a hundred and forty-six wretches, exhausted by continual fatigue and action, thus crammed together in a cube of about eighteen feet in a close, sultry night in Bengal, shut up to the eastward and southward (the only quarters from whence air could reach us) by dead walls, and by a wall and door to the north, open only to the westward by two windows, strongly barred with iron, from which we could receive scarce any the least circulation of fresh air.' The extract is from a private letter written on 28 February 1757, and is more vivid than the official reports. A pamphlet on old Fort William, prefixed as an introduction, contains

a noteworthy speech by Lord Curzon on the duty of preserving the relics and memorials of the past.
H. E. E.

A pathetic interest attaches to the volume on *Modern Spain, 1815-1898* (Cambridge: University Press, 1906), to which the late Mr. H. Butler Clarke devoted so much labour, but which he did not live to see published. Every chapter shows a full knowledge of the period under discussion, and the voluminous bibliography is in itself a proof of the ample sources upon which the book is based. Yet, for the purposes of the readers for whom this admirable 'Historical Series' is mainly intended, its extreme minuteness of detail constitutes a serious defect. Nowhere does the author give us a clear, sharply drawn picture of the period, or of any part of it. We cannot see the wood for the trees, and we lose ourselves in a mass of facts, which are seldom arranged with that artistic skill which is especially necessary in a work of this kind. The character sketches are the best pieces of writing in the book, especially that of Cánovas del Castillo, and the most vivid piece of narrative is the account of the expulsion of the Cortes by Pavia. Throughout, and particularly in the later part, the judgments of men and things Spanish show an intimate knowledge of the local conditions and national character. The time has, of course, scarcely yet arrived when the secret springs of some of the mysterious actions in the confused drama of Spanish politics can be ascertained. For example, the author, like most of his predecessors, fails to explain the reasons of Prim's assassination, nor is it possible, as Mr. Fitzmaurice-Kelly reminds us in one of his footnotes, to pronounce finally on the apparent collapse of Carlism. Here and there a few slips have escaped notice. There is an obvious inconsistency between the statements on pp. 864 and 868 on the coming of age of Alfonso XII; on p. 497 there is an error of date, 1855 for 1865; and it is not easy to understand the meaning of the phrase 'abolished property in law' on p. 342.
W. M.

In *Lord Acton and his Circle* (London: Allen, 1906) Abbot Gasquet prints 178 letters, with a long introduction dealing almost entirely with Lord Acton's early literary undertakings. The main purpose of Lord Acton and his colleagues, who, unlike him, were mostly converts from the Anglican church, was to enlarge the intellectual horizon of the English Roman Catholics. In 1858 W. G. Ward, who did not as a rule agree with Acton, wrote, 'As far as I can see at the present time the catholic world to the protestant world is in much the same relation as barbarians to civilised men' (p. 87 n.) It is a coincidence that Acton's letters here published begin a day after the date of this letter of Ward's, when Acton came to take an active part in the management of the *Rambler*. He aimed above all things at securing an immensely higher standard of scholarship and scientific method than had previously been known in English periodical literature (see especially pp. 55 ff., 117 f.), and, secondly, at establishing a regular system of reports on foreign affairs, such as only his multifarious links with the society of France, Germany, and Italy made possible, though he was apt at times to rate the importance of his secret information too highly. The letters, beginning when the writer was in his twenty-fifth year, are astonishing in the breadth and maturity of both

their learning and style; indeed, the style can hardly be distinguished from that of letters which he wrote thirty years or more later. Acton has decided, clear-cut views about all men and things (for example, on Buckle, pp. 18, 14; the Albigenses, p. 40; Hus and the safe-conduct, p. 185; the partition of Poland, p. 308; democracy, p. 226; the re-organisation of Germany, p. 100 ff., written in 1859), and expresses himself without compromise on current questions; his criticism, whether we are convinced by it or not, is always trenchant and instructive. The light thrown by these letters on the dissensions among English Roman Catholics as to the liberal policy advocated by Lord Acton and his friends is vivid and welcome; but Abbot Gasquet has given us too full measure in supplying 460 pages for its exposition. A large part of the purely editorial correspondence, setting out provisional schemes for the next number of the magazine, calculations of pages, &c., should have been entirely omitted; its only use is to fix the authorship of contributions, and this could have been shown better and more compendiously in a tabular form. This business part, while it testifies to Acton's extraordinary carefulness in matters of detail, distracts attention from the more important contents of the letters. The book is not very accurately printed; some sentences are made unintelligible by errors of punctuation, and a large number of proper names are misspelt. Thus Gindely regularly appears as Grindely, Gieseler as Giesler, Forster (both John and W. E.) as Foster. Even one of Lord Acton's Christian names is twice perverted. Other slips of this sort are Bishop Bloomfield (p. 9), Benedake for Benedek (p. 85), Alfred (for Albert) Smith (p. 106), John XII for XXII (p. 179), Ornsby for Ormsby (p. 285), Scheret for Scherer (p. 304). The reader will hardly be misled by the 'Theodorian' code on p. 232, or by 'civil war' (meaning civil law) on p. 254. But the editor should not have asserted that Cardinal Wiseman 'is dying' in June 1860, even though Acton at that time thought his condition hopeless. It may be noticed that the present volume bears witness to Acton's contributions to the *Rambler* as early as July 1858, whereas the excellent bibliography compiled for the Royal Historical Society records none before November 1859. V.

M. Paul Thureau-Dangin's work on *La Renaissance Catholique en Angleterre au XIX^e Siècle* is completed by a third volume, extending from the death of Wiseman to that of Manning (Paris: Plon, 1906). If the previous volumes, which we have not had an opportunity of seeing, maintain the same high standard as the final one, the author may be congratulated on having provided the French public with a readable and trustworthy account of the progress of Catholicism, Roman and Anglican, in England from the rise of the Oxford movement down to the opening years of the present century. We may even go further and say that he has performed with credit a task which has not yet been attempted by any of our own writers. The book falls into two distinct parts, as was inevitable, since, owing to the circumstances of the case, there has never been any community of action between the Romanists and the Anglican ritualists. Its chief defect from the historical point of view is that it contains practically no fresh information. There are a few quotations from unpublished letters, and one or two anecdotes; but the

facts as a rule are simply those contained in the numerous and well-known ecclesiastical biographies which have appeared in our own times, especially the *Lives* of Manning, Tait, and Pusey. But it is no small achievement to have correctly appreciated and reproduced these facts, and worked them into an intelligible historical narrative. The sympathetic account of Newman may be especially commended, and, in the absence of a worthy Life, is perhaps as good a portrait of him as any that has appeared. Even in the part of the book dealing with affairs inside the Church of England, which present so many pitfalls to a foreigner, there is little to be found fault with in the matter of correctness. Its chief defects seem to be that the information is derived too exclusively from 'ritualistic' sources, and that insufficient explanations are given of the ritualistic position and the objections to it, from the legal and historical point of view. To so ardent a catholic as M. Thureau-Dangin any attempt at assimilation to catholic practices is justification in itself.

G. McN. R.

In his concise treatise on *The German Empire* (New York: Macmillan, 1906) Dr. Burt Estes Howard, after a brief account of the foundation of the German Empire, based on the best German authorities, describes the powers and functions of the different elements which compose it. He deals with the relations between the Empire and the twenty-five States—an important question in view of such a recent incident as the Lippe-Detmold affair, with the peculiar position of Alsace-Lorraine, and with the unique situation of the German emperor among political heads. It may be doubted, however, whether he is correct in saying that the *Reichsland* is 'not, like the Territories in the United States, "a State in the making."' There has been talk of uniting it with Baden, or even of promoting it to be a twenty-sixth State of the Empire, and it seems unlikely that it will indefinitely continue to retain its present anomalous character. With regard to the Empire, it may be theoretically true that 'it is not a Monarchy,' but in this, as in other similar statements throughout the book, it must be remembered that, even in Germany, the theory and the working of political institutions differ widely, and that there, even more than elsewhere, a large allowance must be made for the personal equation. It is, indeed, a defect of the book that it does not present us with a living picture of how the various organs of the constitution perform their functions. Herein lies one of the great differences between such a treatise and Mr. Bryce's *American Commonwealth* or Mr. Bodley's *France*. Thus, in the chapter on the *Reichstag* the only hint that we have as to the practical management of politics is the remark that the socialist movement has made the government indisposed to give Berlin the full representation to which its largely increased population entitles it. Again, it may be theoretically accurate to say that 'the heads of the various departments are not co-ordinates of the Imperial Chancellor, but his subordinates.' Indeed, the Cabinet Order of 1862 made the Prussian prime minister responsible for the whole ministry, and the chancellor has usually been also Prussian premier. Yet, in practice, the dismissal of Bismarck in 1890 was largely due to the emperor's wish that this order should be revoked. Dr. Howard has obviously based his book upon extensive research, and possesses the great

merit of writing clearly on legal subjects. He concludes with a translation of the Constitution and a full index. W. M.

Die Kultur der Gegenwart, ihre Entwicklung und ihre Ziele, edited by Paul Hinneberg (Leipzig: Teubner, 1906), of which we have received the first instalment, is a very comprehensive undertaking. The editor and collaborators are of opinion that the time has come for an Encyclopaedia of General Modern Culture. And the peculiarity of this encyclopaedia is that, while each subject is to be dealt with by an expert, the relation of each department to the whole fabric is to be kept clear. This first part, to which there are seventeen contributors, treats of general principles. Most of the sections are both historical and descriptive. They include chapters on culture in general, on education, higher and popular, music, the theatre, newspapers, exhibitions, libraries, and academies. The authors are mainly concerned with Germany (the book is dedicated to the Emperor William, and a quotation from one of his speeches forms its motto), but there is a short bibliography, including some English and American works, appended to most of the sections. There is a practical idea at the back of the enterprise, and many suggestions are given for the guidance of progressive reformers. A. G.

In the compass of 166 octavo pages, Professor Otto Varenius endeavours in his *Beskattning och Statsreglering i England* (Uppsala: Lundström, 1906) to trace the growth of the English system of taxation and appropriation of supply, and to show how our budget is prepared, sanctioned, and carried into effect at the present day. The historical summary is chiefly compiled, with great care and lucidity, from the standard English works which deal with the history of public finance. The Swedish student could desire no safer guide, and the book needs only a full index to become an admirable work of ready reference for the whole subject of parliamentary control of the public purse in England. An English reader may perhaps notice with greater interest the contrasts which the author occasionally draws between our institutions and those of his own country. The difference between revenue and taxation, he points out (p. 8), is not the same as that between ordinary *statsinkomster* and *bevillningar*. In England the criterion may be afforded by the controlling authority. In Sweden, on the other hand, this fails, since the ordinary income of the state is managed partly by the king alone and partly by the king and diet in combination, while the king may reduce the duration of grants and may increase the duty on grain. Again (p. 97) the pre-eminence of the Treasury with regard to the budget finds no counterpart in Sweden, where all the chiefs of departments approach it on an equal footing and represent their departments in the council of state when the budget is being prepared. In the latter portion of the book the author devotes to the elucidation of modern procedure in parliament with regard to public finance the same unwearied patience that he has shown in tracing the historical development of the system. More frequent criticism of our institutions would indeed be welcome. Sometimes, however, controversial topics are mentioned: in particular the question of the right of parliament to refuse to vote supplies. 'Parliament,' the author holds (p. 157), 'knows not merely that it does not need to do battle with the

refusal of the budget as its weapon, but also that it is its duty, its responsible function of state, to vote the means which are asked for to enable the administration to pursue its course. Its consciousness of this fact in many respects stamps parliamentary practice to-day. As examples of this may be adduced, first and foremost, the address of the lower house in reply to the king's speech, in which they vote, without debate and as a matter of course, an initial promise that they will grant supplies to the crown; further, the moneys in advance which are placed at the disposal of the treasury to be applied by itself only with the support of the votes on account of the lower house and with the prospect of being afterwards confirmed in the appropriation act; finally, the right to guillotine questions of supply, both in committee of supply and in the house itself.' The book contains a bibliography, and is concluded by a brief summary, written in more accurate English than the reference to 'Mr. Gibson Bowle and sir Hamilton' portended. Although many misprints occur, these are irritating rather than misleading. The volume unquestionably adds to the repute of the series ('Skrifter utgifna af K. Humanistiska Vetenskaps-Samfundet i Uppsala') in which it appears. W. F. R.

The first volume of Mr. C. P. Lucas's *Historical Geography of the British Colonies*, which we noticed in 1890 (vol. v. p. 401 f.), has appeared in a second and greatly enlarged edition, 'revised and brought up to date' by Mr. R. E. Stubbs, of the Colonial Office (Oxford: Clarendon Press, 1906). A comparison of the two editions shows that the book has been remodelled and to a considerable extent rewritten; it illustrates also the immense amount of consolidation and organisation which has been going on in the colonial department during the past twenty years. On the other hand the first edition contains one section which is necessarily absent from the second, that on Heligoland. The volume, therefore, now bears the sub-title of 'The Mediterranean and Eastern Colonies.' Its revision has been most carefully carried out, and the politician will be as grateful for the precise statement of recent changes as the historical student will be for the more ample scale on which the earlier stages of exploration and settlement are treated. Full references are everywhere given, and the lists of authorities at the end of each section are excellent. The maps are accurate, but their technical production leaves a good deal to be desired. W.

Mr. H. F. Crofton's *History of Newton Chapelry, in the Ancient Parish of Manchester* ('Publications of the Chetham Society,' New Series, nos. 52-54, 1904-1905), is a continuation of the history of the chapelries of the Manchester parish undertaken by the late Rev. J. Booker, but by him left incomplete. The material appears to be chiefly derived from certain manuscript collections prepared by local antiquaries with a view to some such work as the present. Unhappily Mr. Crofton has been content to vouch these collectors alone to warrant most of his statements, leaving his readers in ignorance of what original authority they may have. This is the more unfortunate as the work is not properly a history but rather a collection of historical materials which, duly attested, might have been of considerable value to the local historian as well as to the antiquary.

The arrangement is topical and is so far convenient and reasonable. But under each locality Mr. Crofton has distributed his material under the headings 'persons' and 'places,' with no further analysis. The resulting incoherence and inconsequence are scarcely atoned for even by a very copious index. There are extracts from and references to a good many local records; for example, the lists of baptisms and marriages in Newton (i. 81-96) and the records of the Manchester manorial courts (ii. pt. i. 81-2, 86). These are all of relatively late date. The chapel lists begin at the close of the seventeenth century and the manorial records in 1580, and they throw little if any light on the history of institutions. Vol. i. contains a good reproduction of part of an eighteenth-century map of Lancashire. The extent of Mr. Crofton's acquaintance with medieval history may be gathered from the following passage:—

In the time of Henry III a writ or mandate was issued that in every villate or township there should be constituted a constable, or two, according to the number of the inhabitants, but this officer was owing (*sic*) to the institution of the frank pledge, which is usually attributed to King Alfred, and the constable was originally the senior or chief pledge of the tithing (ii. pt. i. 189).

Mr. Crofton's modesty and evident good intentions make us reluctant to say what we are bound to say, that, although these volumes are undoubtedly the result of much zeal and industry, their value is most seriously impaired by their author's lack of qualification for the task which he has undertaken. The whole work resembles some of the county histories that appeared at the beginning of the last century. It is of another age, and has the misfortune to have become obsolete from the moment of its publication.

G. T. L.

In connexion with the discussion in this Review (vol. xxi. pp. 98-8, 728 f.) as to the existence of the town of Orwell we may mention that a certain amount of fresh evidence on the question has been brought together by 'L. L. K.' in *Notes and Queries* for 12 and 26 January. The writer points out that the vicar of Orwell, mentioned in 1855 and claimed as decisive by Dr. Wylie (vol. xxi. p. 728), possibly belongs to Orwell in Cambridgeshire. This, we may add, is certain; for though the entry on the patent roll 29 Edw. III, pt. 3, r. 7, does not name the county, it contains a licence under mortmain for the alienation of lands at Orwell, and the inquisition *ad quod damnum* (file cccxviii. no. 19) on which the licence was founded states that the place was in Cambridgeshire. X.

Mr. Anthony Hewitson's *Preston Court Leet Records; Extracts and Notes* (Preston: Toulmin, 1905) consists of three parts, the text made up of extracts from the records of the Preston local courts from 1658 to 1818, an elaborate apparatus of notes supplied by himself, and a slender introduction written by Mr. H. W. Clemesha. The introduction deals with the origin and nature of the courts whose records form the bulk of the volume—the court leet, the mayor's court, and the inquest of office—but it adds little or nothing to the information on the subject of the beginnings of manorial courts already available in Pollock and Maitland's *History of English Law*. When however he comes to

deal with the capacity and activities of the Preston courts as illustrated in their records, Mr. Clemesha's contribution is of greater value. He calls attention, always with abundant references to the text, to the subjects of the position of foreigners in the borough, the adjustment of rights of pasturage, the regulation of trade and industry, the control of highways and water supply, and other forms of administrative and police work. All this is the more welcome because the index is incomplete and provokingly fails to give any indication when a reference relates to the notes and not to the text. These notes, which constitute Mr. Hewitson's independent contributions, are very copious and will prove in many cases to be of real value to students of local history, topography, and genealogy. The identifications of the streets, buildings, and localities mentioned in the text appear to be drawn from a very intimate knowledge of the Preston of to-day. In like manner the identification of persons and the other genealogical information which Mr. Hewitson abundantly furnishes have the air of deriving their authority from a study of contemporary documents, but the unfortunate absence of any reference to these sources materially impairs the value of the work (e.g. pp. 150-157, 200). When he discusses questions of legal or constitutional history Mr. Hewitson shows more zeal than judgment, as witness his notes on 'burgage' and 'affeering' (pp. 8, 4). It is a matter of surprise that the celebration of the gild merchant is not treated either in the notes or introduction, although the subject occurs in the text, and the borough of Preston enjoys the distinction of being the last home of that venerable institution. The Preston gild merchant still maintains a somewhat spectral existence in a celebration which appears to have been held at regular intervals of twenty years ever since 1542.¹ In 1662 there was some dispute about the profits of the celebrations, which has left its traces on the record before us (pp. 97, 100, 108, 110-11). On the whole this volume reflects credit on the zeal of the editor and the generosity of the corporation of Preston, which provided for the cost of its publication. G. T. L.

¹ Gross, *Gild Merchant*, i. 165, ii. 200-201.

Corrections.

Vol. xxi. p. 48 (January 1906), line 6. *For* 14 Dec. *read* 19 Dec.

p. 49, line 26. *Delete* to 8 May, then.

p. 51, note 48. *For* Sir William Coventry *read* Henry Coventry.

p. 52, lines 1-3. *Omit the sentence* The houses were adjourned . . . following year.

Vol. xxii. p. 156 (January 1907), line 18. The suggestion as to the meaning of 'Hadesco' should be omitted. Haddiscoe is a village in the south-east of Norfolk.

THE ENGLISH HISTORICAL REVIEW

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The Ceremonial Book of Constantine Porphyrogennetos

II. THE ECCLESIASTICAL CEREMONIES OF BOOK I.

§ 19. IN book i., cc. 1-83, Rambaud discovered *une unité remarquable*. He believed that these chapters were mainly composed in the reign of Constantine VII, only allowing that some had been originally compiled 'in the time of Leo VI, or Alexander, or Romanus Lecapenus.'¹ The researches of Bieliaev have definitely shown that this view is not tenable. It is, in fact, inconsistent with Constantine's explicit statement, which shows that he mainly confined himself to the mechanical work of arranging in a logical order and series pre-existing materials.²

Book i. (omitting the appendix, cc. 84-97) falls into two parts :
A. cc. 1-87 (properly 1-46*) : Church ceremonies and processions.
B. cc. 98-83 (properly *47-92*) : Secular ceremonies.

Bieliaev's investigation (*Priemy*) is devoted to A. It is his great merit to have shown that this first portion consists of two distinct series, and to have deduced an important inference. The first series, of which the latter part is lost, corresponds to cc. 1-17* ; it gives the general order of the processional ceremonial on great church festivals and the acts of the factions on these occasions.

¹ *Op. cit.* pp. 131-2. He uses the word *rédigés* ; his argument shows that he means 'put together' or 'composed,' not 'transcribed.'

² See the preface to book ii. p. 516, cc. 5-11, especially *ἡμετέρας ἐπιμελείας φιλοπόνως συναθροισθέντα*.

The second series, of which the beginning is lost, corresponds to cc. 18*-46*, and contains descriptions of the special ceremonies for special feasts.

FIRST SERIES.

C. 1. The general order of the ceremonial at any great church festival on which the emperors visit St. Sophia. The ceremonial on Christmas Day is taken as a model.³ There are added notices of (1) special modifications on Easter Day, p. 22, 12-; (2) the ceremonial on the Nativity of the Virgin, p. 26, 12-, which holds for the Annunciation, p. 33, 3, and partly for (3) the procession of Easter Saturday, but with modifications, p. 33, 11-.

Cc. 2-9. The Ἄκτα τῶν μερῶν on the chief festivals from (c. 2) Christmas to (c. 9, down to p. 61, 5) Pentecost.

Cc. *10-17*. These lost chapters undoubtedly contained the Ἄκτα for festivals between Pentecost and Christmas. Bieliaev has discussed what they were.⁴ Five may be considered almost certain: All Saints, the Holy Apostles, the Transfiguration, the Nativity of the Virgin, the Assumption.

SECOND SERIES.

Cc. *18-44* (= c. 9 from p. 61, 5-c. 35).⁵ Ceremonies on church feasts beginning with Easter Day, ending with Easter Eve.

[Cc. 36 and 37 are additions which do not form part of this series. C. 36 is a note on certain peculiarities of the προέλευσις in commemoration of the union of the church;⁶ c. 37 describes how the emperors change their attire on various church feasts.]

§ 20. Comparing these two series of ceremonies, we observe two significant facts. (1) In both cases the festivals of the ecclesiastical year are treated in chronological order, but they begin at different points of the cycle. The first series begins with Christmas, the second with Easter. (2) The second series is not merely supplementary to the first. It presents both repetitions of and divergencies from the descriptions in c. 1. For instance, compare the Christmas Day ceremonies of c. 23 with the proceedings described in c. 1. Again, in the ceremony of the Annunciation (c. 30) the emperor at one point ἀνέρχεται διὰ τῆς ξυλίνης σκάλας ἐν τοῖς κατηχομηνείοις (p. 166, 22); but at the end of this chapter it is noted that this part of the programme has been altered, and that the emperor οὐκ ἀνέρχεται νυνὶ ἐν τοῖς κατηχομηνείοις ἀλλ' εἰς τὴν τροπικὴν ἐστὼς τῆς ἀγίας σοροῦ κ.τ.λ.

³ This follows, as Bieliaev has pointed out, from 1, 9, p. 63, where Constantine evidently designates the description in c. 1 as a description of the procession on Christmas Day: ὁν τρόπον ἀνωτέρω ἐν τῇ καθόλου προελεύσει τῆς Χριστοῦ γεννήσεως ἐξεθέμεθα.

⁴ Priemy, pp. 38-40, note 2. In his argument he makes use of data offered by c. 37 and book ii. c. 52.

⁵ I designate by 9b the part of c. 9 which belongs to the original c. 18*.

⁶ Cp. Bieliaev, Priemy, pp. 235-6.

(p. 169, 22). In the account in c. 1 we find the second custom established, and there is no reference to the older practice (p. 31, 14).⁷

From these observations Bieliaev has justly inferred⁸ that the compiler (Constantine) had before him two different sets of material. Series 2 does not represent a number of isolated descriptions which were first collected and arranged by him. It represents an older collection, which he took over, not altering its arrangement, and only inserting occasional notes to point out modifications which had been made since the date when it had been originally compiled. On the other hand series 1 represents the actual practice of Constantine's time; there are no mentions of alteration in procedure. All the chapters of this series are appropriate to the last years of Constantine's reign. The *acta* in cc. 2 *sqq.* contemplate more than one Augusta (Helena and Theophano) and the princesses, Constantine's daughters (*τὰ πορφυρογέννητα*).⁹

§ 21. It will be well to enumerate the proofs which corroborate the inference that series 2 is older than series 1. I have already drawn attention to (1) the passage in c. 23 which records a change of procedure. (2) at the close of c. 10, p. 85, 24, we find the following important text:

ἰστέον δὲ καὶ τοῦτο ὅτι ἐπὶ Λέοντος τοῦ τῆς θείας λήξεως ἐγένετο ἡ τάξις αὕτη.
ἰππεύει ὁ βασιλεὺς κ.τ.λ. . . . καὶ τελεῖται οὕτως ἕως τῆς σήμερον ἡμέρας.

The change here described was made by Leo VI; it follows that the preceding description of the Easter Monday ceremonies con-

⁷ This is in the description of the ceremonies of the Nativity of the Virgin, but it is stated that the order for the Annunciation was the same (p. 33, 2).

⁸ *Priemy*, pp. xxxvii–viii.

⁹ In c. 1, p. 19, the editor has added a note in regard to the *apokombion* presented to the patriarch. It is mutilated, but it clearly tells what is to be done in four different cases, according as there are one, two, three, or more emperors. Bieliaev restores thus (*Priemy*, p. 184): *ἰστέον ὅτι ὀφείλει ἔχειν τὸ ἀποκόμβιον χρυσοῦ λίτρας ε', καὶ εἰ μὲν ἔστιν εἰς βασιλεὺς, διδωσι τὰς ε' λίτρας, εἰ δὲ δύο εἰσιν εἴτε καὶ γ' εἰσιν μερίζονται αἱ δέκα λίτραι. εἰσὶ δ' εἰ καὶ γ' πλὴν τοῦ μεγάλου βασιλέως, ὀφείλει εἶναι ταῦτ' ὅσον τοῦ διδομένου ὑπὲρ τῶν ἄλλων τῶν δεσποτῶν ἐξίσης, ὡς συμπληροῦσθαι διὰ τῶν ἀμφοτέρων τὰς δέκα λίτρας.* Constantine VII had personally experienced five different cases: (1) he had reigned alone, before the elevation of Romanus I and for a few months at the beginning of A.D. 945; (2) he had one colleague, Romanus I, before the elevation of Christophoros; and afterwards Romanus II; (3) he had two colleagues, Romanus I and Christophoros, before the elevation of Stephen and Constantine; (4) he had four colleagues after the elevation of Stephen and Constantine; (5) he had three colleagues after the death of Christophoros. It is clear that in enumerating the various cases he is thinking of what happened in his own experience. Bieliaev's restoration does not include the case of five emperors; why should it be omitted? Further, Bieliaev's *εἰσὶ δ' εἰ καὶ γ'* cannot be right. Reiske gives *ε . . . εἰ καὶ γ'*. I would restore *εἰ δὲ δ' ἢ εἰ καὶ γ'*. Though we might expect *γ'* to precede *δ'*, the motive for the reverse order is furnished by the chronology: there were five *basileis* before there were four.

tained in c. 10 was composed before that change. (8) In the account of the ceremonies on the Sunday after Easter (c. 16) we find a marginal note recording a recent change (p. 98, 22) of the same kind as that noticed in the case of Easter Monday. Instead of proceeding on foot to St. Sophia the emperor rides to the church of the Holy Apostles. A posterior limit of date for the changes is supplied¹⁰ by the 'Kletorologion' of Philotheos (composed A.D. 900); for there we find that in both cases the new order was already in force (pp. 769, 1, and 773, 1). As there can be little doubt that the same emperor, Leo VI, who made the alteration for Easter Monday made the corresponding alteration for the ensuing Sunday, we get as the time limits for these changes 886-900 A.D. (4) The ceremonies of the Feast of Orthodoxy are described in c. 28, but we are told at the end that this description is partly antiquated: *ιστέον ὅτι τὸ παλαιὸν ὁ τοιοῦτος τύπος ἦν νῦν δὲ ὁ βασιλεὺς κ.τ.λ.* (p. 159, 21).

There are some other indications bearing on the date of the ceremonies of series 2. We learn from a note to c. 19 that the feast of St. Elias *ἐκαινουργήθη ἐπὶ Βασιλείου τοῦ φιλοχρίστου*. Candles were lit in front of Basil's icon (p. 118, 1), *ἄπτουσιν κηροὺς εἰς τὴν εἰκόνα Βασιλείου τοῦ φιλοχρίστου δεσπότου*. The concluding *troparion* of the lamplight service (*τὸ λυχνικόν*) on the eve of this feast was composed by *Λέων ὁ σοφώτατος καὶ ἀγαθὸς βασιλεὺς*. We can conclude that this chapter dates (in its present form; see below, § 26) from the reign of Leo VI. We can draw the same conclusion in regard to c. 20, containing the ceremonies in commemoration of the dedication of the New Great Church, built by Basil I and dedicated to Christ, the archangel Michael, and Elias.¹¹ Here too we have a similar note stating that the feast was founded by Basil (p. 118), and in this ceremony also candles are lit before the icon of that emperor (p. 121, 8). These two ceremonies (cc. 19 and 20) were clearly inaugurated at the same time. The principal part of the former was celebrated in the New Great Church. The account of the celebration of the feast of St. Demetrius in c. 21 seems also to have been composed in the reign of Leo VI; a *troparion* composed by *Λέων ὁ σοφώτατος καὶ ἀγαθὸς βασιλεὺς* was recited (p. 123, 23).

§ 22. It does not appear to have been observed that in the ceremony of St. Basil's Day (1 January) we have a date which is precise but ambiguous. C. 24, p. 137, 16: *συνέβη δὲ καὶ τοῦτο γενέσθαι τῇ αὐτῇ ἡμέρᾳ ἰνδικτιῶνι γ'.* The third indiction might be A.D. 885 in Basil's reign, or A.D. 900 in Leo's. Bulgarian ambassadors were present, and took part in the celebration; we

¹⁰ Bieliaev, *Priemy*, p. 231.

¹¹ The church is described by Constantine VII in his 'Life of Basil' (*Theoph. Contin.* p. 325 sqq.)

learn that this was customary since the conversion of Bulgaria (τοὺς φίλους Βουλγάρους τοὺς κατὰ τύπον ἔρχομένους κ.τ.λ., p. 139, 1). The practice must, of course, have been intermitted during the war between Symeon and Leo, but this war was over before A.D. 900, so that this does not help us to decide between the two dates. There is however another *datum* which enables us, I think, to decide for the later year. The client archon of Taro is received by the emperors. He is described as τὸν μάγιστρον καὶ ἄρχοντα τοῦ Ταρῶ (p. 138, 12) and ὁ μάγιστρος ὁ Ταρωνίτης (p. 139, 18). Now we know that Krikorikios, the archon of Taro, was obliged by Leo VI to come to Constantinople, when the emperor conferred upon him the dignity of *magister*.¹² This Taronite ruler was the first to submit to the power of Constantinople.¹³ Hence the chapter cannot be earlier than Leo's reign; and the third indiction must be A.D. 900.

§ 23. The ceremony (c. 17) on Wednesday in the fourth week in Easter (μασσοπεντηκοστή), which was marked by a *προέλευσις* to the church of St. Mokios, also suggests chronological considerations. On the occasion of this ceremony an attempt was made on the life of Leo VI in that church, and in consequence he discontinued this *προέλευσις*.¹⁴ Our sources do not directly furnish the date, though they imply that the incident occurred after the elevation of Nikolaos to the patriarchate (February 901) and before 906.¹⁵ But they furnish data which enable us to fix the year. We are told that Marcus, steward of the church of St. Mokios, attempted to persuade the emperor to revoke his decision to discontinue the ceremony. On Leo's refusal Marcus prophesied that his reign would last ten years: ὁ καὶ γέγονεν· μετὰ γὰρ τὴν ἐκπλήρωσιν τῶν δέκα ἐνιαυτῶν, τῇ αὐτῇ ἡμέρᾳ ἐν ᾗ καὶ ἐπλήγη, τετελεύτηκεν.¹⁶ As Leo died in 912 Krug inferred¹⁷ that the attempt on his life occurred in 902. This is simple, but it will hardly do; it does not explain the story. The prophecy was naturally *post eventum*; there is not a word about it in our only contemporary source, the *Vita Euthymii*, where the circumstances of the murderous assault are more fully narrated than elsewhere.¹⁸ The *motif* of the story is at once apparent when we observe that the day of Leo's death

¹² Constantine Porph. *De Adm. Imp.* c. 43, p. 185: εἰσελθόντος τοῦ αὐτοῦ Κρικορικίου ἐν τῇ θεοφυλάκτῃ πόλει καὶ τῇ τοῦ μαγίστρου καὶ στρατηγοῦ Ταρῶν ἀξίᾳ τιμηθέντος. . . . καὶ ἐπὶ χρόνον ἐν τῇ βασιλευσσίᾳ διατρίψας κ.τ.λ. Thus *De Cer.* c. 24 furnishes a date for the narrative in *De Adm. Imp.* c. 43.

¹³ *Ibid.* p. 182, 12.

¹⁴ *Theoph. Contin.* p. 365 = *Logothete* (Georg. Mon. Contin., ed. Bonn), pp. 861-2 = Theodosius Melit. pp. 192-3 = Leo Gramm. pp. 275-6. ἔκτοτε δὲ ἡ τοιαύτη ἐξεκόπη προέλευσις.

¹⁵ Cp. *Vita Euthymii*, ed. De Boor, p. 34, 27; 35, 6; 37, 15.

¹⁶ *Theoph. Contin.* p. 366.

¹⁷ *Kritischer Versuch*, p. 40 sqq. Bieliaev adopts this date (*Priemy*, p. 232).

¹⁸ Cap. 11, p. 35.

was 11 May, and that Mid-Pentecost fell on 11 May in the year 903. This is quite sufficient to fix the date; the odd coincidence explains the origin of the story, in which the dissatisfaction of the clergy of St. Mokios is also reflected. De Boor also arrives at this date for the attempt, though by a somewhat different method.¹⁹ The 'ten' years instead of 'nine' cannot weigh against the consideration adduced. De Boor contemplates the possibility of a scribe's error;²⁰ but his suggestion that the original source may have had 'in the tenth year' sounds more likely. The day of Leo's demise was the tenth anniversary of the attempt on his life, and the conventional value of the number ten is sufficient to account for the strain here put upon inclusive reckoning.

The account seems to imply that the visit to St. Mokios on Mid-Pentecost was not re-established in Leo's time; and thus we obtain A.D. 903 as a posterior limit of date for c. 17. Bieliaev has ingeniously attempted to determine a prior limit. We have seen that on the first Sunday after Easter a *προέλευσις* to the Holy Apostles was introduced by Leo VI instead of a *προέλευσις* to St. Sophia. But the *προέλευσις* to St. Sophia had itself superseded an older practice. When the account (c. 64) of the imperial visit to the Golden Hippodrome on the Monday after the first Sunday after Easter was composed, the *προέλευσις* on that Sunday was not to St. Sophia but to St. Mokios.²¹ There is evidence to which I will refer below (§ 94) that this account cannot be later than the first years of Basil I. Now we know that the church of St. Mokios had partly fallen in and was restored by Basil.²² Hence Bieliaev argues that it was Basil, the restorer of the church, who transferred the visit to St. Mokios from the Sunday after Easter to Mid-Pentecost, and concludes that the accounts of both these ceremonies, in cc. 16, 17, were drafted in the reign of Basil.²³ The argument in itself does not appear to be cogent. It depends on the assumption that there could not have been *προελεύσεις* to this church on two festivals; and for this assumption there is no evidence. Again, the argument implies that the shattered condition of the church did not hinder the *προέλευσις* on the Sunday after Easter. It must therefore be admitted that it does not afford a ground for denying that the *προέλευσις* at Mid-Pentecost to the same church might be a practice of earlier date than the reign of Basil. Bieliaev's view, therefore, cannot be considered as more than a conjecture; and we shall presently see that it involves difficulties.

¹⁹ *Vita Euthymii*, pp. 110-2.

²⁰ η for ι, on the supposition that the alleged interview between Marcus and Leo occurred shortly before Mid-Pentecost 904. It seems to me that in the case of such a story we miss the mark if we go so far in requiring internal chronological consistency. De Boor bases too much on his discrimination between the date of the attempt and the date (*μετὰ τινα καιρόν*) of the supposed conversation.

²¹ C. 64, p. 284.

²² *Theoph. Contin.* p. 323.

²³ *Priemy*, pp. 232-3.

§ 24. Besides these explicit indications of date, which occur in the Second Series, we have another means of discrimination. We find that some ceremonies contemplate one βασιλεύς only, and others more than one. In the first place this criterion confirms the distinction between the two series. The ceremonies of the first group all alike contemplate the presence of more than one emperor (οἱ δεσπόται). The ceremonies of the second group vary. The greater number of them imply only one emperor (ὁ βασιλεύς), a few make mention of more than one.

Rambaud, who observed this difference but did not examine the data closely, concluded (in accordance with his general view of the work) that the ceremonies in which only one emperor appears belong to the period when Constantine VII reigned without a colleague, before the coronation of his son Romanus. This period however lasted for little over three months (27 January–6 April 945), and the ceremonies in question are numerous; so that, as Bieliaev observes, this consideration alone is sufficient to rule out Rambaud's hypothesis.²⁴

The distinction between the two groups established by the Russian scholar, and the clear evidence that the second group is older and belongs to the Basil-Leo period, have put the question in a new light. Bieliaev concludes that the oldest descriptions, in which only one emperor appears, belong to the early years of Basil I, but allows that some of them may have been drawn up in the reign of Michael III.²⁵ But in arguing that the single basileus represents, as a rule, Basil I, he fails to notice that this involves a difficulty very similar to that which he urged himself against the view of Rambaud. For Basil was not sole reigning emperor for much longer than a year. His predecessor was assassinated in September 867, and in the course of 868 he conferred the imperial dignity on his son Constantine. On 6 January 870 there was a third colleague, his second son, Leo.²⁶ The hypothesis therefore implies that all these ceremonies (and there are others among the secular ceremonies which must be taken into account) were drafted during the first year of Basil's reign. This of course is not impossible, but the chronological facts at least do not encourage us to prefer the claim of Basil to that of Michael III.²⁷

§ 25. I called attention above (§ 23) to the conjecture of Bieliaev that Basil I discontinued the visit to St. Mokios on the

²⁴ He admits however that some chapters may have been borrowed from older books.

²⁵ *Priemy*, pp. xl, xli.

²⁶ Mansi, *Conc.* xvi. 143, 'imperii Basilii quidem ac Constantini a. 8, Leonis vero anno 1, ind. 8 pridie Idus Februarii.'

²⁷ For notices of ceremonies in the reign of Michael see *De Cer.* 2, cc. 31, 32, 34, 36, 37.

Sunday after Easter, substituted a visit to St. Sophia, and introduced the visit to St. Mokios at Mid-Pentecost; whence he infers that cc. 16 and 17 were drafted in this reign. He has failed to observe that the criterion which is under consideration separates these chapters in time. C. 17 contemplates *δεσπόται*, c. 18 only one *βασιλεύς*. This deprives the conjecture of its plausibility. Its essence is the hypothesis that the two changes are interdependent and simultaneous; and (in default of an express record) the only cogent evidence would be the intimate connexion and synchronism of these two chapters. It is to be noted that Bieliaev's argument implies that St. Mokios was restored in the first year of Basil, since *ex hypothesi* the restoration preceded the new arrangement, and c. 18 must have been drafted before the coronation of Constantine. My conclusion would be that c. 17 belongs either to the reign of Basil (during the greater part of which there were more than one emperor) or to the first half of the reign of Leo VI, and that there is no ground for excluding the reign of Michael III as the possible date of c. 18.

The application of the criterion *βασιλεύς: δεσπόται* requires however some precaution. Thus in the short chapter 86, on the *προέλευσις ἐνώσεως ἐκκλησίας*, only one *βασιλεύς* appears. It would nevertheless be indiscreet to infer that it was composed when only one *βασιλεύς* was reigning. This chapter has been judiciously discussed by Bieliaev.²⁸ The festival of the Henosis of the church was founded to celebrate the end of the troubles consequent upon the fourth marriage of Leo VI, in A.D. 920, before the coronation of Romanus I (not in A.D. 921).²⁹ Hence it might be supposed that this chapter was composed in 920, between July, the month of the Henosis, and 17 December, the date of the coronation of Romanus, since at that time there was only one emperor, Constantine VII (aged 14). But in that case we should expect a full account of the ceremonies, whereas we get no details in the dozen lines which are here devoted to the subject; and the chapter has all the appearance of a note—introduced by the usual *ιστέον ὅτι*—added by the editor to the previous chapter, and not intended to form a distinct chapter itself. This being so, if we press the fact that only one *βασιλεύς* is mentioned, we should have to refer this note to the few months in which Constantine reigned alone in A.D. 945. It is obvious that in the case of such a brief insertion this is unnecessary. We know that Constantine was at work on the *Ceremonies* in the last years of his reign, and in his

²⁸ *Priemy*, pp. 233-7.

²⁹ This follows from the *τόμος τῆς ἐνώσεως*, in the title of which Romanus is still only basileopator (Zachariä, *Ius Graeco-rom.* iii. 228). The chroniclers give A.D. 921. Cp. the *Logothete* (George Mon., ed. Bonn), p. 890; *Theoph. Contin.* p. 398. Cp. Hirsch, *Byzantinische Studien*, p. 81.

editorial additions to ceremonies in which only one basileus appeared he might very well have only taken into account the basileus who played the chief part.

But the case is not isolated. The editorial addition at the end of c. 10 mentions only *ὁ βασιλεύς*, but no one would think of pressing it. On the other hand, in the addition to c. 28, where the editor goes into details, the *δεσπόται* come in. I would call attention to this passage as instructive. The editor, having before him a description which contemplates only one basileus, begins in the same key; but once embarked he passes abruptly, even ungrammatically, into the plural (p. 159, 22 *νῦν δὲ ὁ βασιλεὺς τὰ ἄλλα πάντα ἐκτελεῖ μέχρι τῆς εἰσόδου καθὼς εἴρηται. εἰς δὲ τὴν εἰσέρχεται εἰς τὸ βῆμα ἔνδον, καὶ προσκυνοῦσι κ.τ.λ.*) where we have to understand *οἱ δεσπόται*, who are not mentioned till the next sentence.

§ 26. If we analyse Series 2 by means of our criterion and exclude c. 36 as an editorial addition, we find that of the twenty-eight chapters twenty-one contemplate one basileus, namely, 10-15, 17, 18, 22, 23, 25-35; and in seven there is mention of more than one—9*b*, 16, 19-21, 24, 37. But it must not be assumed that all the ceremonies of either category were composed at the same time. I will now proceed to show that some chapters in the second category supply data (to which critics have not attended) proving that they belong to different periods.

I would observe in the first place that all the ceremonies in this category (we may leave aside c. 37, which is not a description of a ceremony) are distinguished in one respect from the ceremonies of Series 1. In c. 1 and in nearly all the *acta* which follow it (cc. 2-9*a*) there is explicit mention of the Augustae and the Porphyrogennetoi (e.g. pp. 36, 38, 45, 47, 60). This is a striking note of homogeneity in this series. It corresponds to the date at which we know Constantine VII was engaged on the Ceremonies, c. A.D. 957-9, when there were two Augustae (his wife, Helena, and his son's wife, Theophano) and several purple-born daughters. This is an observation which has not, so far as I know, been made before, but it is important.

In c. 9*b* two emperors are contemplated, *ὁ μέγας βασιλεύς* and *ὁ μικρός* (which simply means the junior colleague). See pp. 64, 24; 68, 22; 69, 1. This in itself would suit Constantine VII and Romanus II, but we find that there was only one Augusta (p. 67, 9), and therefore, if it belonged to this reign, we should have to place it before the marriage of Romanus II and before the composition of Series 1. The data would also suit the reign of Leo VI and Alexander.

In c. 19, on the other hand, there appear more than two emperors (*ὁ μέγας* and *οἱ μικροί*, p. 115, 16). This might suggest

the reign of Romanus I or the last years of Leo VI and Alexander (after the coronation of Constantine Porphyrogennetos); but it also corresponds to the situation in the reign of Basil I (from A.D. 870), and, as the ceremony described was instituted in his reign, we may conclude with a high probability that this was the date of the original draft, though the mention of the troparion composed by Leo, who is described as *ὁ σοφώτατος καὶ ἀγαθὸς βασιλεὺς*, points to a redaction in his reign (cp. above, § 21). In c. 20 there is no phrase showing that there were more than two emperors; but, as we saw, it is naturally associated with c. 19, and we shall hardly be wrong in assuming the same date for its composition. It seems probable that the following chapter 21 (festival of St. Demetrius) belongs to the same group, composed in the reign of Basil and edited in the reign of Leo.³⁰

Thus of the six chapters under consideration we have found reasons for concluding that 19, 20, 21 were originally drafted in the reign of Basil I, but were rehandled under Leo VI, while 24 (which I showed in § 22 must be connected with A.D. 900) belongs, and 9b may belong, to the reign of Leo; the short chapter 16, as we saw above (§ 21), is prior to A.D. 900.

§ 27. We may turn now to the larger group in Series 2, in which only one basileus appears. We have already seen that c. 10 was written before a certain change (recorded in an editorial note at the end of the chapter) had been made by Leo VI (see above, § 21). We are also furnished with a prior limit. The lighting of candles at the tombs of Saints Nikephoros and Methodios (p. 77, 6) shows that the description is subsequent to June 847, the date of the death of Methodios.³¹ As the *motif* of this act was undoubtedly the share which these two patriarchs had taken in the

³⁰ It seems to me very significant for the chronological association of these three chapters that in all three the *ἐταπεινότης* appears in a part of the ceremony which is the same in all three: 116, 4- = 119, 3- = 122, 4-. We know that Stylianos (afterwards basileopator) was *μικρὸς ἐταπεινότης* under Basil. We may infer, perhaps, that there was also a *μέγας ἐταπεινότης* in this reign. See the chronicles of the 'Logothete' group (George Mon. p. 846, ed. Bonn, and the rest). In c. 21 the additions of the editor are evidently distinct. The original narrative is interrupted by inserted notes at 122, 23; it is resumed at 123, 11, and is once more interrupted at 123, 22, by an insertion, extending to 124, 8.

³¹ 14 June 847 (not 846). Different views were held as to the year; but 847 is now established. The *Life of the Hermit Joannikios*, in the collection of Simeon Metaphrastes (Migne, P. G. 116, p. 92), states that Methodios died on 14 June, eight months after the death of Joannikios. An earlier ninth-century *Life of Joannikios*, by the Monk Sabas, was published in 1894 in the *Acta Sanctorum*, Novem. II, and there the exact date of the death of the hermit is stated (p. 433): Nov. 3 or 4, A.M. 6355, indict. 10, i.e. 846. We know otherwise that Methodios was patriarch for four years and three months (*Nicephori Chron.* ed. De Boor, p. 120; four years, *Vita Ignatii*, in Migne, P. G. 117, p. 500, &c. &c.), so that he was appointed in March 843, which agrees with the now accepted date for the First Sunday of Orthodoxy. See on the whole question Vasil'iev, *Visantiia i Araby*, i. pril. iii. 142-6.

struggle against iconoclasm, there is a presumption that this part of the ceremony was arranged while the memory of the triumph of A.D. 848 was still young; and we may esteem it more probable that the chapter dates from the reign of Michael III (between 848 and 866, the year of Basil's elevation) than from the first year of Basil's reign, which in the case of this ceremony would mean A.D. 868. Similarly it is natural to suppose that the description of the Feast of Orthodoxy, c. 28, was composed in the reign of Michael. We have already seen (§ 28) that the same period is not excluded for c. 17.

In the other chapters we have no chronological clues. But it is important to observe signs that they were not isolated descriptions, but formed part of a series. In c. 12 and in c. 13 there are references to c. 11 (pp. 89, 24; 91, 2); also in cc. 14 and 15 (pp. 91, 3; 96, 28); these five chapters belong together. Again, in c. 26 there are references to c. 28 (pp. 148, 17; 146, 3), and in c. 85 to c. 30 (p. 186, 3). There is nothing to suggest that any of these references is editorial.

§ 28. Taking all the evidence together we may consider it a probable conclusion that the descriptions of ceremonies in Series 2 which imply only one emperor belonged to a ceremonial book composed in the reign of Michael III. Bardas was created Caesar on 19 April 862,³² and in the following years we might expect that the influential Caesar should have had a special place in some of the ceremonies; and, as this is not the case, we may perhaps—though of course the consideration is by no means conclusive—consider 847 and 862 as the limits of date.

In the reign of Leo VI this collection was re-edited with considerable changes. New ceremonies instituted by Basil I were introduced. The ceremonies on Easter Day (9b) and 1 January (24) were rewritten. But most of the older descriptions were retained, notes being added which can generally be distinguished. We can fix the date of this recension to the years 900–908 (cp. §§ 22, 23).

The third stage is the recension of Constantine VII, who included the collection in his ceremonial book without making any further changes except the insertion of additional notes.

§ 29. We have still to consider c. 37, which forms a sort of appendix to the collection, explaining the details of the imperial costume at the various ceremonies which have been described. Bieliaev has drawn attention to two indications which enable us to fix its date.³³ The dress to be worn on Easter Monday (*περιβάλλονται τὰ λευκὰ χρυσᾷ σκαραμάγγια*, p. 188, 3) implies that the

³² *Genesios*, p. 97; *Hirsch*, *Byz. Studien*, 173.

³³ *Priemy*, pp. 220, note, 233, note.

innovation made by Leo VI before A.D. 900 (see above, § 21) had already come into force, for the emperors usually wore skaramangia when they rode in ceremonial processions.³⁴ Again, we are told that on Mid-Pentecost they wore white (or purple) skaramangia (p. 188, 19), whence we may infer that this was written before A.D. 903, when the proeleusis to St. Mokios was discontinued. Thus c. 37 belongs to the second stage and was added to the revised ceremonial book c. 900-903 A.D.

§ 30. The form of c. 37 is to be noticed. It consists of a series of paragraphs, of which each (except the first) begins with the formula *ιστέον* *ὅτι*. This formula is regularly used in Constantine's treatise *De Administrando Imperio*,³⁵ and it may fairly be taken as a guide to discriminate Constantine's editorial hand. It is invariably used in the marginal notes, which are clearly due to the Constantinian redaction. But when a paragraph is introduced by *ιστέον* *ὅτι* or *χρὴ εἰδέναι* it is not necessarily an editorial addition. The words may simply be introduced as a formula of transition for the sake of clearness or to avoid an awkward abruptness. We shall notice hereafter (§ 40) a case in which it can be shown that *χρὴ γινώσκειν* was introduced by the editor for stylistic reasons. The formula in question may of course have been used occasionally in the older documents, but its prevalence in Constantinian literature justifies the presumption that it betokens Constantinian intervention, and we may probably conclude that the marking off of the paragraphs in c. 37 by *ιστέον* *ὅτι* is due to Constantine.

The formula might be particularly useful in marking parenthetical notes, as in c. 17 (p. 107, 6), where *ιστέον δὲ ὅτι . . . ἀπελατικούς* interrupts the progress of the description.

III. THE SECULAR CEREMONIES OF BOOK I.

§ 31. The second part of book i. (cc. 38-83), which deals with secular ceremonies, is composite, like the first, consisting of documents of different dates. It is arranged in subjects and may be analysed as follows:—

cc. 38-42: ceremonies (coronations, &c.) connected with members of the imperial house.

cc. 43-59: investitures of officials and dignitaries (beginning with the Caesar and ending with the *protospatharios*).

c. 60: imperial burial ceremony.

c. 61: imperial birthday ceremony.

cc. 62-6: court *levées* or receptions (*δέξιμα*).

cc. 68-73: hippodrome ceremonies (horse races, &c.)

cc. 74-83: various.

³⁴ *Priemy*, p. 8, note.

³⁵ See my article on the treatise *De Administrando Imperio*, § 6, in *Byzantinische Zeitschrift*, xv., 1906.

It may at first seem awkward in this arrangement that cc. 60, 61 should be separated from cc. 38–42; but it is to be observed that the ceremonies of the first group are of the nature of investitures, with the exception of 42, which gives the acta on the occasion of the birth of a Porphyrogennetos and forms a natural appendix to 41 (the marriage and coronation of an Augusta). Thus the second group, beginning with the investiture of a Caesar (who would generally be a member of the imperial house), follows naturally.

§ 32. It is to be observed that two of the ceremonies of the first group relate to the same occasion. C. 39 is entitled *ὅσα δεῖ παραφυλάττειν ἐπὶ στεφανώματι βασιλέως*, and c. 41 *ὅσα δεῖ παραφυλάττειν ἐπὶ στεφίμῳ αὐγούστης καὶ στεφανώματος*. The ceremony is the marriage of a junior emperor, and the difference in the two cases is that in the former the bride is already an Augusta, in the latter she is crowned Augusta on the day of her marriage. C. 40 gives the ceremony of coronation when it is not connected with her nuptials.

The ceremony described in c. 39 is performed in the church of St. Stephen in the palace; but an editorial note is appended at the end (201, 19) to the effect that this has recently (*ἐν τοῖς ἐσχάτοις καιροῖς*) been changed, and that the nuptial coronation is now celebrated in the church of the Virgin in the Pharos. In c. 41 the nuptial coronation of the emperor and his bride is performed in St. Stephen's, immediately after the imperial coronation of the bride in the Augusteus; and there is no note as to any change.

Now we know that in A.D. 768 (17 December) Irene was crowned in the Augusteus and married to Leo IV in St. Stephen's in Daphne,³⁶ as ordained in c. 41. Hence Diehl has suggested³⁷ that c. 41 describes that ceremony, and in support of this he points especially to the mention of the *κόμης τῶν ἀδμησιόνων*. Otherwise we do not find this official mentioned under this name in the ceremonies except in the extracts from sixth-century documents at the end of book i.³⁸ But he is not 'an institution which has in the tenth century entirely disappeared,' as Diehl says. In the sixth century he was also called *admissionalis* (*ἀδμισσιονάλιος*),³⁹ and under this name we find him still existing in the tenth century.⁴⁰ But Diehl is right in noting the title 'count of the admissions' as a mark of comparative antiquity. It does point to the eighth century, when, though the Byzantine usages and nomenclature which we find in the ninth century had already been for the most part introduced, some old terms were still used which had become obsolete before A.D. 900.

³⁶ Theophanes, *s.a.*, ed. De Boor, p. 444.

³⁷ *Études byzantines*, p. 304.

³⁸ Pp. 386, 387.

³⁹ *Ibid.* pp. 394, 404–5.

⁴⁰ *Ibid.* p. 23, 8.

There is however a difficulty in considering c. 41, as it stands, a simple description of the ceremony of A.D. 768. It is impossible to suppose that the highest dignitaries of the palace, the Caesars and the *nobilissimus* who had been created earlier in the year, should not have had a part to play in the ceremony. To meet this difficulty I suggest that the same ceremony was used in the tenth century with appropriate modifications. In A.D. 933 Stephen, the son of Romanus I, married Anna, and we are expressly told that the coronation was performed simultaneously with the marriage: *ἀμα δὲ τῷ νυμφικῷ στεφάνῳ καὶ ὁ τῆς βασιλείας αὐτῇ στέφανος ἐπετίθετο*.⁴¹ That this detail should be stated seems significant; it certainly suggests that on recent occasions the two ceremonies had been kept separate, and their combination is therefore recorded as noteworthy. It is obvious that the ceremonial of A.D. 768, suitably modified, might have been followed.⁴²

But c. 41 cannot be simply the description of the ceremony of A.D. 933 adapted from that of A.D. 768. For in A.D. 933 there were four basileis, and c. 41 contemplates only two (p. 213, 21). It is however natural to suppose that the combination of the two coronations, which was reintroduced according to my hypothesis in A.D. 933, was practised on the two next occasions of an imperial marriage—namely, the unions of Romanus II with Bertha in A.D. 944 and later with Theophano. In the last case there were only two basileis. My suggestion therefore is that in c. 41 we have a description of the marriage of Romanus and Theophano, based on the old document of A.D. 768. This explains, on the one hand, the appearance of the old-fashioned but still quite intelligible title *κόμης τῶν ἀδμησιόνων*, and, on the other, the non-appearance of the Caesars and *nobilissimus*.

It is obvious that the ceremony of c. 40 was wanted on occasions when there was no question of a marriage, such as the coronation of Theodora, wife of Romanus I (A.D. 921), of Sophia, wife of Christophoros (A.D. 922), of Anna, the daughter of Leo VI, and of Zoe, the same emperor's fourth wife. But it was also necessary in conjunction with that of c. 39, when the coronation and the marriage, though following each other closely, were not combined. This, according to the hypothesis above stated, would have been the case when Constantine VII espoused Helena in A.D. 919. If so, we can at once explain the editorial observation that the *στεφάνωμα*

⁴¹ *Theoph. Contin.* p. 422; Theodosius Melit. (ed. Tafel), p. 231 (*ἐπετίθειτο*). Leo Gramm., p. 328, omits *αὐτῇ*. 'George Mon.' has *αὐτῷ* (p. 913), but Stephen had already been emperor since Christmas A.D. 926.

⁴² I do not think that we can draw any conclusion as to the ceremonies of the first marriage of Leo VI (*Georg. Mon. Cont.* p. 846: *ἡγάγετο ὁ βασιλεὺς Λέων τῷ βασιλεῖ θυγατέρα Μαρτινακίου, ἣν καὶ ἔστεψεν, ποιήσας τοὺς γάμους ἐν τῇ Μαγναύρῃ καὶ ἐν τοῖς ἐξ ἀκουσίτοις*) from the fact that the Magnaura is mentioned in c. 41, though not in c. 39, 2 (pp. 231, 7; 232, 23).'

had been transferred from St. Stephen's to the church of the Virgin *ἐν τοῖς ἐσχάτοις καιροῖς*, as due to Constantine himself. Such an expression could be naturally applied to anything that happened in his own reign. C. 39 would therefore go back to an earlier period, perhaps the reign of Basil I or Leo VI.

The acta of the factions in cc. 38, 40, and 42 are homogeneous with the acta of cc. 2-9a, which are related to the reign of Constantine VII; the Augustae and Porphyrogennetoi are acclaimed.

§ 33. In the second group most of the ceremonies contemplate more than one basileus. Of these cc. 43 and 44 must be at once set apart and associated with c. 41. Diehl has shown, from internal evidence, that they describe the proceedings on the occasion when Constantine V conferred the rank of Caesar on his sons Christophoros and Nikephoros, and that of *nobilissimus* on his fourth son, Niketas, on 2 April 768.⁴³

Other ceremonies of this group must also be referred to the early Byzantine period. C. 46 consists of two sections, describing the ceremony for the investiture of a *magister*, according as it is performed on a great church festival or on an ordinary Sunday. We note that the Small Consistory is exceptionally designated in both descriptions as the Winter Consistory (pp. 238, 6; 235, 14). The Great Consistory used to be called the Summer Consistory, but the name is not used in any of the later documents; we only find it in a sixth-century ceremony (p. 405, 8).⁴⁴ In the second section we find other peculiarities which differentiate it from the ceremonial descriptions of the ninth and tenth centuries. We have the mysterious *κόμητες σεκόρων* (p. 235, 3) and the *δομέστικοι πεδίτου* and *σχολάριοι πεδίτου* (p. 236, 8), terms which went out of fashion. This, moreover, is the only place where we find a mention of a locality in the palace called *οἱ Ἰνδοί*.

The following c. 47, on the investiture of a patrician who is *strategos* of a theme (*στρατηγούντος*), has a remarkable point in common with c. 46. Here too we find *κόμητες σεκόρων*, and also *κανδιδάτοι σεκόρων* and *δομέστικοι σεκόρων* (p. 237, 11).⁴⁵ Whatever

⁴³ For the details see Diehl, *ibid.* 298 sqq. Cp. Theophanes, ed. De Boor, s.a. p. 443. As another though superfluous item of proof I may point out the appearance of the *referendarius* in c. 44 (p. 235, 17). The *referendarius* is familiar in the sixth century (e.g. in Procopius and *Cod. Just.*) In the *Ceremonies* we find him in an excerpt from Peter the Patrician (p. 390), but I believe that, as the name of a secular official, *βεφερενδάριος* does not occur in the *Ceremonies* (nor in later literature), except here and in two other chapters (cc. 47, 48) which we shall see reason for supposing to be earlier than the ninth century. The ecclesiastical *referendarius* survived; see e.g. *De Cer.* i. 1, p. 9, 3.

⁴⁴ On these consistories see Bieliaev, *Obsor*, pp. 118-9.

⁴⁵ If *σεκόρων* is right (the emendations proposed by Leichius are impossible) the titles can have been current only for a short time, as they are found nowhere else. The *vela* in c. 47 are (1) *magistri*, (2) *patricians*, (3) *hypatoi*, (4) *comites σεκόρων*, (5) *candidati σεκόρων*, (6) *domestici σεκόρων*, (7) *ἀπὸ ἐπάρχων* and *στρατηλάται*. (The

σεκόρων means, whether it be sound or corrupt, we are not in the tenth (or the ninth) century; while the general character of the ceremony shows that we are not in the sixth or the seventh. Again, we have the *secundicerius* (p. 238, 2), a name which is borne only by an ecclesiastical official in later times. We have, too, the *referendarius* (pp. 237, 18; 240, 19); see above, p. 431, note 43.

A complete revision of the court ceremonies was necessitated by the reorganisation of the institutions of Diocletian and Constantine, which was carried out early in the eighth century by Leo III. The official world was largely reconstituted; titles and ranks were changed, and the general schemes of the ceremonies must have been altered to meet the new conditions. Though endless alterations in detail were made by succeeding emperors the character of the ceremonial, as then reformed, was permanent. In the first (Isaurian) period, as we might expect, some old terms were still used which afterwards fell into desuetude. Cc. 46 and 47 evidently belong to this period. Both assume two emperors, who will be Leo III and Constantine V, or Constantine V and Leo IV.

C. 48 seems also to belong to the same period. Here too the *referendarius* appears (p. 246, 19), though instead of the *κόμητες σεκόρων* we have the *κόμητες τῶν σχολῶν*. Moreover there is only one *βασιλεύς*. The later part of the ceremony was afterwards modified in details, and a description of the new order is added, under the title *ἀκτολογία τῶν δῆμων κ.τ.λ.* Thus the portion pp. 249, 20-251, 14 is superseded by pp. 251, 16-255, 8. The acclamations of the Augustae and Porphyrogenetoi in the new description seem to point to the reign of Constantine VII.

C. 49 seems to be connected with c. 48. There is only one *basileus*, and there are back references to it (pp. 256, 2, 20; 257, 1). For the other chapters of this group we have no clear indications, except that c. 53 appears to be a tenth-century addition (like the end of c. 48) to c. 52. But the whole group probably formed a series dating from the eighth century. It may be noted that c. 59 presumes c. 58 (p. 275, 3).

§ 34. In the group of chapters relating to *dexima* cc. 62, 63 belong closely together, and are clearly contemporaneous. They contain the acts of the factions on the eve and the day of a dexi-

ἀπὸ ἐπάρχων or *στρατηλάτης* was at this time the lowest grade of rank, as in A.D. 900: see Philotheos, p. 708, 7.) In c. 48 we have eight *vela*. The patricians appear in two *vela*: (2) *anthypatoi*, (3) *πατρικοί καὶ στρατηγοί*; and the *hypatoi* are replaced by (4) *ἡ σύγκλητος*. Then we have (5) *comites scholarum*, (6) *candidati*, (7) *domestici*, (8) *ἀπὸ ἐπάρχων*. It seems clear therefore that (5) (6) (7) of c. 48 correspond to (4) (5) (6) of c. 47, and both mean the same classes. In the *vela* which were introduced in the ceremony of Easter Day, as described in c. 9 b, we find the same order at the end of the list (p. 61): (6) *comites scholarum*, (7) *imperial candidati*, (8) *domestici scholarum* (9) *ἀπὸ ἐπάρχων*.

mon on the anniversary of an emperor's accession. A note is added at the end of c. 63 to the effect that the proceedings are the same for the *dexima*, only that the *apelatikoi*, *trilexia*, and *tetralektia* are to be different, according to the occasion. These chapters seem to have been compiled in their present form in the reign of Constantine VII.⁴⁶ C. 65 belongs to the same time.

On the other hand cc. 64, 66 (67), in which there is only one *basileus*, belong together. When c. 64 was written, the proleusis on the Monday after the first Sunday after Easter was still to St. Mokios; it was therefore written before A.D. 900 (see above, § 23), and, as only one *basileus* appears, may probably be ascribed to the reign of Michael III. Now in this chapter (p. 284, 21) we find a reference to another ceremony: *οἱ δὲ πραιπόσιτοι εἰσελθόντες ἐν τῷ τριπέτῳ, ὡς ἀνωτέρω εἴρηται*. Nothing has been said before to which the last words can refer. We have to turn to c. 66 to discover the passage which must be meant (p. 296, 14): *καὶ ὁ πραιπόσιτος εἰσελθὼν ἐν τῷ τριπέτῳ κ.τ.λ.* It follows that 66 and 64 were together in one collection, but that when they were received into the compilation of Constantine VII their order was reversed and they were separated by another ceremony (65). C. 67 is an appendix to c. 66 (to which it refers, p. 301, 21), but although the single *basileus* of 66 is preserved it is clearly an editorial addition (cp. *ιστέον* *ὅτι* pp. 301, 20; 302, 25).

§ 35. The first chapter (68) of the Hippodrome group is remarkable. It belongs to a period later than the sixth century, but when some of the ministers who were abolished by the Isaurian reorganisation were still in existence. That it is later than the sixth century is shown not only by its general style, which is far nearer to that of the later ceremonies than the style of the documents of the Justinianean age, and specially by the appearance of the ceremonial officer *ὁ τῆς καταστάσεως*, of whom there is no trace in the sixth century, but the praetorian prefect of the east still exists.⁴⁷ There is only one *basileus*. The date might, for instance, be the reign of Justinian II, or the first years of Leo III.⁴⁸ It is probable enough that details of the ceremony were altered by subsequent editors, but the reference to the obsolete praetorian prefect was overlooked.

C. 70 presents close resemblances to c. 68, and was to all appearances drafted in its original form at the same time; but all anachronisms seem to have been eliminated.

⁴⁶ Reiske's argument in his note, pp. 294-5, depends on the collocation of cc. 62-3 with c. 64. But c. 64 dates from a different period.

⁴⁷ P. 306, 11. Here we have the *ιστέον* *ὅτι* which the later compilers used so constantly.

⁴⁸ Even after the coronation of Constantine V (A.D. 720), then an infant, before he was old enough to be present at such ceremonies.

Cc. 72 and 73 (except the *aktologia*) contemplate a single *basileus*, but need not be older than the reign of Michael III.

In the other chapters of this group more *basileis* than one appear, and the *akta* have generally been brought up to the date of Constantine VII. But there is one significant exception which furnishes a definite chronological indication. In c. 69 a section occurs entitled *ἄκτα ἐπὶ μεγιστάνῳ ἀμειρᾷ ἐν πολέμῳ ἡττηθέντι καὶ ἀναιρεθέντι*. These brief *akta* acclaim one *basileus*, but more than one *Augusta*. The two cases in which there were two *Augustae* and only one emperor were in the reigns of Constantine VI and Michael III. But we have no record of the slaying of an emir in the former reign (a success which Theophanes could hardly have omitted to chronicle); and the only serious success gained against the Saracens (the victory of Anusan) occurred, as it happens, just at a moment when there was only one *Augusta*, in the interval between the divorce of Maria and the marriage of Theodote.⁴⁹ On the other hand the most conspicuous victory of Roman arms under Michael III was marked by the death of the Saracen leader, Omar ibn-Ubeid-allah-al-Akta, the emir of Melitene, on the battle field.⁵⁰ Petronas, the Roman general, was rewarded by receiving the rank of *magister*. This happened in the year A.D. 868. We know that Michael's mother, the empress Theodora, who had been sent to a cloister c. 856 A.D., was afterwards released, but the date of her recovery of freedom was unknown. We may infer that she was released and received formal honours, though she had no political influence, by A.D. 868. The other *Augusta* was Michael's wife, Eudokia, daughter of Dekapolites, of whose life we otherwise know nothing.

It is to be observed that an incident which occurred at a race in the time of Michael III is recorded in c. 71 (p. 358, 11).

It seems probable that c. 69 as a whole appeared in the collection dating from the reign of Michael III, and that it was revised and modified to suit his own time by Constantine VII; only the *akta* celebrating the death of an emir, and seldom required, were allowed to remain unaltered.

§ 96. We obtain an interesting glimpse of the process of bringing up to date in c. 73. In the *akta*, which form the second part of this chapter, the following spring song, in 'political' verses, is to be chanted by the people:—

ἴδε τὸ ἔαρ τὸ γλυκὺ πάλιν ἐπανατέλλει,
χαρὰν, ὑγίειαν καὶ ζωὴν καὶ τὴν εἰημερίαν,
ἀνδραγαθίαν ἐκ Θεοῦ τοῖς βασιλεῦσι Ῥωμαίων
καὶ νίκην θεοδώρητον κατὰ τῶν πολέμων.

⁴⁹ Theophanes, s.a. 6287, ed. De Boor, p. 469.

⁵⁰ For the details see Vasil'iev, *Visantiia i Araby*, i. 201.

The second half of the third verse is a syllable too long, and Krumbacher rightly conjectured τῷ βασιλεῖ.⁵¹ But τοῖς βασιλεῦσι is not a mere scribal error; it is clearly a deliberate correction, to harmonise with the rest of the acta, which acclaim more than one basileus. The correction was made mechanically, without regard to the metre; the right correction was τοῖς δεσπόταις, and no doubt was thus actually chanted when there were two or more reigning sovrans.

In the preceding portion of the chapter, in which only one emperor appears, the first and second verses are quoted with variations (866, 9):

Ἴδε τὸ ἔαρ τὸ καλὸν πάλιν ἐπανατέλλει,
φέρων ὑγίειαν καὶ χαρὰν καὶ τὴν εὐημερίαν.

This is evidently the older form, and it is superior in point of construction. When φέρων is omitted the syntax is loose; the accusatives are in apposition to the cognate object of ἐπανατέλλει. The purpose of the change was to introduce ζῶην, and, as such a change demands a motivation, I hazard the guess that it might have been introduced after the second marriage of Leo VI, with Zoe, daughter of Stylianos, a guess which those who know how fond the Byzantines were of plays on names will not consider extravagant.

It is important to remark that these verses occur in a description which was drafted at least as early as the reign of Michael III. It shows definitely that political verses were a fully established form of composition in the ninth century. The metre, of course, is of much older origin. Krumbacher has pointed out proverbs, couched in this metre, which go back to the sixth century.⁵² But it was possibly in the ninth century that it began to come into vogue, though one would not be surprised if the spring song was much older. I have pointed out that the political metre probably occurs in the interchange of wit between Theophilus and Kasia on the occasion of that emperor's brides-show.⁵³

§ 87. The last group, of miscellaneous ceremonies (cc. 74-88), are, for the most part, of high antiquity, as is shown by the number of Latin words and formulae. They were not however obsolete; they were still practised, in their old forms, in the tenth century, and beyond the retention of the Latin phrases there is nothing anachronistic. In the number of emperors and empresses they are all suitable to the reign of Constantine VII.

§ 88. It results from our examination that in the secular ceremonies there are (in contrast with the ecclesiastical) a number

⁵¹ *Gesch. der Byz. Litt.* p. 255.

⁵² *Mittelgriechische Sprichwörter*, pp. 233-4.

⁵³ Gibbon, ed. Bury, v. 199, note; Pseudo-Symeon, p. 625, ed. Bonn.

of descriptions which must have been originally drafted in the Isaurian period. Such are 43, 44; probably 41; 46-48; probably 49; and 68 may be even older. And there are others which we may suspect were originally composed in that period, though anomalies, which would reveal the date, have been eliminated. Further, we have noticed indications pointing to the reign of Michael III.

IV. CONCLUSIONS AS TO THE SOURCES OF BOOK I.

§ 39. We may now sum up the general conclusions which our analysis yields as to the materials which Constantine VII wrought into his first book. He speaks of his work as one of collection (*συναθροισθέντα*) as well as arrangement, and this shows that he did not simply revise one older ceremonial book, but gathered documents from different collections or sources. This evident inference from his own statement was confirmed by the demonstration of Bieljaev that the ecclesiastical ceremonies were derived from two distinct collections.

In the light of our examination of the work we may infer that the following main sources were at the disposal of Constantine: (1) The sixth-century *πολιτικὴ κατάστασις*, from which he transcribed the concluding chapters of the book (84-95), as possessing antiquarian interest. (2) A ceremonial book of the Isaurian period. This period must have witnessed a general revision of court ceremonial, rendered necessary by the reorganisation of the official world. Such a book, required for the use of the court, was probably kept up to date and augmented by new additions by the *praepositus* or the official known as *ὁ τῆς καταστάσεως*, who directed the ceremonies. Thus the descriptions of special ceremonies performed under Constantine V may have been added to a collection which had originated under Leo III. (3) Our evidence points to the reign of Michael III as another stage in the history of the ceremonial. On general grounds this is not unexpected. The restoration of image-worship furnishes a particular motive for revision at that epoch. The ecclesiastical ceremonies arranged under iconoclastic sovrans required alterations. These ceremonies have been so carefully revised or rewritten that we find no indications pointing beyond the reign of Michael III. It is impossible to say whether the secular ceremonies were as carefully worked up. Those descriptions in which we find marks of the Isaurian period may have been taken by Constantine from the Isaurian book and not from the revised book of the ninth century. This latter book received additions and modifications in the reign of Leo VI, and was the actual ceremonial book up to the time of Constantine's compilation, though not in all respects up to date.

It seems to me probable that the *acta* of the *demes* were not included in this book, but formed (4) a separate collection. For these *acta* specially concerned the officers of the *demes*, and did not directly concern the palace officials who arranged the general ceremonial. This difference of origin would account for the difference in the arrangement of the feasts of the ecclesiastical year in the *acta* (c. 2 *sqq.*) and in the general ceremonies (see above, § 20). The idea of a ceremonial book including the *acta* would have been due to Constantine VII.⁴⁴

If these conclusions are right we can understand Constantine's precise description of his own editorial work. He found the material, he says, *χύδην τε καὶ σποράδην ἐκτεθειμένα*. It was disordered (*χύδην*), because the ceremonial book had grown, new ceremonies being added as they occurred, and consequently not occupying the place in the general order which their date or their nature would assign to them. It was scattered (*σποράδην*), because the *acta* had to be sought in a different place, and probably the older book of the Isaurian period contained ceremonies (e.g. cc. 43, 44) omitted in its revision. Further, Constantine describes some of his material as *ἐξίτηλα ὄντα ἤδη καὶ τῷ γέροντι χρόνῳ συγγεγρακότα καὶ ὅσον οὐπω πρὸς ἀνυπαρξίαν περιστήσεσθαι μέλλοντα*. This probably refers to some of the ancient ceremonies, like the Gothic game (c. 83), in which the Latin formulae were extensively retained, and suggests that they did not occur in the latest ceremonial book (or books). The Gothic game, for instance, may have been preserved in the archives of the *demes*.

With such materials Constantine had to do much in the way of arrangement to produce *εἰρμός τις καὶ τάξις λελογισμένη*. It is for collection and arrangement that he takes credit. We were able to detect one case where he changed the order in which two ceremonies had stood in a previous edition (above, § 34). There may be another more remarkable instance. In c. 18 (p. 109, 3) we read, *ὁ βασιλεὺς . . . στέφεται ὑπὸ τοῦ πραιποσίτου διὰ τὸ ὅλως ὡς ἀνωτέρω εἴρηται ἔμπροσθε βαρβάτων μὴ στέφεσθαι*. Nothing of the kind has been said in the previous pages. But in c. 66 (p. 298, 8) we find, *χρὴ εἰδέναι ὅτι ἐνώπιον ὁ βασιλεὺς οὐδέποτε στέφεται, ἐξ αὐτῆς τῆς ἀρχῆς ταύτης τῆς παραδόσεως φυλαττομένης*. It is possible, however, that this taboo was mentioned in the lost part of c. 9*b*, and therefore we cannot infer with certainty that c. 66 preceded c. 18 in the ninth-century ceremonial book.

Comparative analysis of the details of the ceremonies may discover new criteria for chronological discrimination. The secular ceremonies have still to be examined with the same care which Bieliaev bestowed on the ecclesiastical.

⁴⁴ This may also apply to the descriptions of some of the Hippodrome ceremonies.

§ 40. It has been hinted in the foregoing investigation that the editorial activity of Constantine was not confined to collection, selection, arrangement, and the insertion of notes (whether by way of addition or by way of correction), but that he may also have revised the text of some of the ceremonial descriptions which he incorporated. From the nature of the case it would be difficult to prove this directly if we did not accidentally possess the proceedings ἐπὶ προαγωγῇ δημάρχου (in c. 55), in two forms, which follow each other in the manuscript. The duplicate is printed by Reiske in his *Commentary* (p. 289). There are a number of variations which are not due to scribal inaccuracy. The document in the text is more carefully written and shows some superiorities in syntax and style to the duplicate. It also presents curtailments, one or two additions, and a number of small differences not affecting the general sense. I may give one illustration:—

TEXT (p. 271).

χρὴ δὲ γινώσκειν ὅτι προλαμβάνουσιν εἰς τὸν οἶκον τοῦ προβληθέντος ὁ αὐτὸς γειτονιάρχης καὶ ὁ νοτάριος καὶ οἱ λοιποὶ καὶ ἴστανται μετὰ τοῦ μέρους εὐφημοῦντες τὸν προβληθέντα εἰς τὸν πυλῶνα αὐτοῦ.

REISKE (p. 290).

πρὸ τοῦ δὲ φθάσαι τὸν δῆμαρχον προλαμβάνουσιν ὁ τε γειτονιάρχης καὶ ὁ νοτάριος μετὰ καὶ τοῦ μέρους καὶ ἴστανται καὶ εὐφημοῦσιν τὸν δῆμαρχον εἰς τὸν πυλῶνα αὐτοῦ.

Observe the introduction of the transitional χρὴ δὲ γινώσκειν (cp. above, § 30).

The nature of the variations enables us to solve the problem which puzzled Reiske. *Qui factum fuerit ut hoc caput in M bis scriberetur, aliquali tamen cum discrepantia, non exputo.* The solution is that the second is the older draft, the first a revised and improved copy of it, made for insertion in Constantine's compilation. The second was transcribed, through pure carelessness, instead of another document. For there is a heading to it: ἀκτολογία τῶν δῆμων ἐπὶ προαγωγῇ δημάρχου. Instead of copying these acta the copyist inadvertently transcribed the discarded draft of the ceremony which he had just written out in its revised form.

This case permits us to infer that others too of the ceremonial descriptions which were taken from older collections into the new compilation have been stylistically and otherwise revised in Constantine's literary workshop. Constantine had his standard of style even for the φράσις καθωμιλημένη, and was, in this respect, as we shall presently see, prepared to be critical.

V. THE TREATISE περὶ τῶν βασιλικῶν ταξιδίων.

§ 41. In the Leipzig MS. the treatise 'De Cerimoniis' begins on f. 21v. Ff. 1-21r contain two short pieces which, though they have nothing to do with the ceremonies, have been strangely and

injudiciously printed as 'Appendix ad librum primum.'⁵⁵ The first of these pieces (ff. 1-4r) is clearly a fragment. There is no title or introduction; it opens abruptly with a list of stations (*ἄπληκτα*) at which the emperor halts on a military journey through Asia Minor. The second piece has a full title, and is dedicated by Constantine to his son Romanus. It is concerned with the arrangements for military expeditions, in which the emperor personally takes part.

The author's prefatory remarks to this treatise are interesting. He caused a search to be made in the palace for memoranda bearing on the subject. He found none, but subsequently (*ὄψὲ καὶ μόλις*) he discovered the existence of a work, in the monastery of Sigriane, by Leo Katakylas,⁵⁶ a *magister* who became a monk. It was written by order of Leo VI. Paying a tribute to the writer's piety, Constantine is severe upon his want of literary education (*παιδεία* 'Ελληνική) and his barbarous style. Nor was Leo's work complete. It hardly contained a third of the information which Constantine promises. Constantine also makes the important observation that the *τάξις τε καὶ ἀκολουθία* observed on these expeditions was handed down from the Isaurian period.⁵⁷

Now the subject of this treatise and that of the fragment which precedes it are precisely the same. The theme is thus stated by Constantine in his preface (456, 6): *ἀναγκαιότερον δὲ τί ἄλλο γένοιτο πολεμικῆς εὐτολμίας καὶ τῆς τῶν προγόνων παλαιᾶς εὐταξίας ἣν ἐν πολέμοις εἶχον τὸ πρότερον βασιλικοῖς ταξειδίοις κατὰστασιν*; the headings of the two sections contained in the fragment are: *ὑπόθεσις τῶν βασιλικῶν ταξειδίων καὶ ὑπόμνησις τῶν ἀπλήκτων*, and *ὅσα δεῖ παραφυλάττειν βασιλέως μέλλοντος ταξιδεύειν*. It is impossible to suppose that we have to do with two distinct works. The fragment is evidently part, or was intended to form part, of the treatise which follows it. Either some of the pages of the original manuscript got misplaced or, as is much more probable, these two sections had been prepared for incorporation in the treatise but had not been incorporated, and were found in physical juxtaposition with it by that redactor, who is responsible for the form in which the 'De Cerimoniis' has come down. We have therefore to do with a single treatise, which might be called *περὶ τῶν βασιλικῶν ταξειδίων*, and which in histories of literature should be dissociated from the work on the ceremonies and hold a distinct place of its own. J. B. BURY.

⁵⁵ This misled Rambaud (*op. cit.* p. 129) into supposing that the two books were separated 'par deux appendices' in the MS. Krumbacher (*Gesch. der Bys. Litt.*), who seldom overlooks anything, has overlooked the so-called Appendix.

⁵⁶ For his career see De Boor, *Vita Euthymii*, pp. 140-2.

⁵⁷ The treatise contains one section (pp. 495-8) which is evidently transcribed from a document of the time of Justinian. It refers to an entry of that emperor into the capital (in A.M. 6038). We are here in the days of Persian wars, and consistorian counts, and tribunes, and *protectores*.

Motes and Norman Castles in Ireland

PART II.

THE LORDSHIP OF ULSTER.

A un Johan Uluestere,
Si a force la peust conquere ;
De Curci out a nun Johan,
Ki pus i suffri meint ahan.

DE COURCY'S raid upon Downpatrick took place in 1177, and from this time until 1204, when he was expelled by Hugh de Lacy the younger, he was largely occupied, we may be sure, in making good and extending his foothold in the north-east of Ireland. Before the close of John's reign at any rate the maritime districts from the Boyne to the Bann seem to have been effectively planted. These included the counties of Down and Antrim (the ancient *Uladh* or *Ulidia*) and Louth, or English Uriel. The latter, however, was not eventually included in the lordship of Ulster, but was erected into a county by itself. The castles built in this district within our period were probably very numerous, but I shall only mention those of whose existence we have distinct record. There are many large motes too of the distinctively Norman type, and several of them have the foundations of stone buildings on them. It is much to be desired that these should be critically examined.

1177. DUN-DA-LETHGLAS : Downpatrick.—A castle was built here by John de Courcy in 1177, soon after he surprised and took the town.¹⁴⁵ The great mote lies a little more than a quarter of a mile almost due north of the cathedral, and is separated from the hill on which the town stands by low flat ground. It has never been adequately described,¹⁴⁶ but it appears to have been shaped out of a natural hill, which has doubtless been scarped into its present form, and must, in De Courcy's time, have risen like an island out of the swamps of the river Quoyle. The mote, said to be 'sixty feet in conical height' (I suppose measured along the slope), is piled up on the highest point and is surrounded by a

¹⁴⁵ *Ann. Loch Cé, Ann. Ulst., Four Masters*, 1177; *Gir. Cambr.* vol. v. p. 348 (De Courcy flies for refuge *ad castrum suum*).

¹⁴⁶ The fort is described and figured in Molyneux's *Discourse concerning Danish Mounts* (Dublin, 1755). The measurements given by Mr. Milligan (*Journ. R.S.A.I.* 1891, p. 582) and by Mr. Westropp (*Trans. R.I.A.* vol. xxxi.) seem to have been taken from *A Tour in Ireland* (Dublin, 1780), p. 327. Mr. Westropp's sketch appears to have been copied from Molyneux, but he adds a plan.

fosse. The bailey nearly surrounds the mote, apparently following the lie of the hill, and is itself enclosed by a bank, then, at a lower level, by a broad ditch with a bank on the counterscarp. The origin of this fortress has been the subject of much discussion, Mr. Westropp maintaining that it was the rath of Celtchar, son of Uthechar, a hero of the clan Bury (*circa* the Incarnation), while Mrs. Armitage would ascribe it to John de Courcy. I need not recapitulate the arguments.¹⁴⁷ For my part I see no reason to doubt that it was the site of John de Courcy's *castrum* or *caislen*, erected soon after his defeat of the Ulidian king Donnaleibhe, called Dunlevus by Giraldus. Whether there was a pre-existing fort on the hill or not seems to me of small importance. If there was one it must have been largely remodelled, as the existing earthworks appear to be of distinctively Norman type. As Mr. Westropp, however, specially relies on this case to prove the prehistoric origin of what he calls 'complex motes,' or 'motes with an annexe' (bailey), I have looked into the alleged identification, and it seems clear to me that the rath known in pre-Norman times as Rath Celtchair was in the town of Down itself, and surrounded the early monastery and the present cathedral. Here are the proofs. Between the years 1202 and 1204 John de Courcy made a grant to Radulphus, then bishop, the abbot of St. Patrick, and their successors, of the *ecclesia sanctae Trinitatis in Rathkelter*.¹⁴⁸ There is no doubt that this refers to the Church of St. Patrick (as De Courcy renamed it), now represented by the Cathedral of Down, beside which stood the ancient round tower of the monastery. This would seem to be in itself conclusive. Rath Celtchair was in fact the rath mentioned by Mr. Westropp, within which the ancient monastery was intrenched. In 1111 'Dun-da-lethglas was burned by lightning, both rath and trian'¹⁴⁹ (i.e. 'the third part,' perhaps the lay third of the town). The inference is that the rath and the trian were in physical contact. Other indications point the same way. The 'Life of St. Brigid,' by Animosus, describes Down as *civitas posita in regione Ulteriorum prope mare, nomine Dun-da-lethghlas quae priscis temporibus Aras Kealtuir . . . vocabatur*.¹⁵⁰ So in the *Testamentum Patricii*, which Archbishop Ussher describes as *vetustissimis Hibernicis versibus expressum*, the saint is made to prophesy (as translated), *Dunum ubi erit mea resurrectio in colle* (the Irish is rath) *Celtaris filii Duach*.¹⁵¹ Prophecy-mongers know

¹⁴⁷ See *Journ. R.S.A.I.* 1904, p. 822, and 1905, p. 405; and *English Historical Review*, vol. xx. p. 711.

¹⁴⁸ This deed is calendared in *Pat. Rolls*, Ed. I, 1342, p. 509. The passage quoted is transcribed in Reeves' *Ecclesiastical Antiquities of Down and Connor*, pp. 143, 165, and cf. p. 41. Ralph was bishop from 1202 to 1213, and John de Courcy was expelled about the close of 1204. This fixes the date. The grant however is very likely only a confirmation of a previous one to Bishop Malachy III; cf. Ware's *Bishops of Ireland*.

¹⁴⁹ *Ann. Ulst.*, *Ann. Loch Cé, Four Masters*, 1111. Armagh was built on the same plan, with rath and trians. *Ann. Loch Cé*, 1074 (where see Hennessy's note) and 1112.

¹⁵⁰ *Trias Thaumaturga*, p. 563, col. 1 (*arus* = residence).

¹⁵¹ I quote from Bishop Reeves, *Ecclesiastical Antiquities*, p. 225. The Irish is, *Dun i mbia m'eseirgi, a Raith Celtair mic Duach*. See Ussher's *Works*, vol. vi. p. 457. And so Ussher understands *urx Leath-glaysse* to mean *Urbs Duensis* (*ibid.* p. 450). In fact the identification of Rath Celtchair with the mote seems to be a com-

their trade better than to assert that St. Patrick predicted his resurrection in a pagan fort unhallowed by the presence of his church. As to the *monticulus* of Jocelin, of which so much is made by Mr. Westropp, if it really refers to the mote hill, as seems probable, the inference I should draw is that when the passage was written¹⁵² the name Dun or Dun-da-lethglas was applied, as we might expect, both to the old town about the cathedral and to the new 'burg' that was growing up under De Courcy's fortress, and that Jocelin's story about the two broken fetters is simply a philological effort on his part to account for the ambiguous name.¹⁵³

MAGH COBHA.—The English of the Castle of Moy Cova (as the name is anglicised) are mentioned in the Irish annals as making a raid into Tyrone in 1188.¹⁵⁴ The exact castle site has not been determined, but O'Donovan identified Moy Cova with a plain in the barony of Iveagh, to the north of Newry. It seems probable that the great mote called the Crown Rath, about a mile and a half from Newry, may represent the castle. This mote is described as 112 feet high, with a flat top of oblong form, and surrounded by a fosse twenty feet broad and ten deep. On the south side of the fosse is a square platform surrounded by an intrenchment.¹⁵⁵ One of De Courcy's battles was fought at Newry.¹⁵⁶ A later castle was erected at Magh Cobha in 1252 and destroyed in the next year.

1198. DOMHNACH MAIGHEN: Donaghmoyne, a townland and parish in the barony of Farney, co. Monaghan. The *Annals of Loch Cé* record the erection of a castle here in 1198, and the *Annals of Ulster* state that in 1244 'it was covered [or cased] with stone' (*do chumhdach do chlochaibh*). This castle under the name Dunelamein is repeatedly mentioned in the *Calendar* during the period 1228 to 1242. It had belonged to William Pipard, but was burnt down by the Irish, and the services of Meath and Uriel were ordered to be given to Ralph FitzNicholas (who had the custody of William Pipard's lands and heir), to aid him 'to fortify a stone castle' there. This appears not to have been done until after 1242, when a similar order was made in favour of Ralph's son. In 1202 Ralph Pipard surrendered all his castles to the king, including that of

paratively late idea and entirely at variance with the early records. See *Battle of Magh Rath*, p. 207, note.

¹⁵² Jocelin's 'Life of Patrick' is stated in the proem to have been undertaken at the command of Thomas, archbishop of Armagh. This was Tomaltach O'Conahobair, who died in 1201, and there is nothing that I know of to suggest an earlier date for the work.

¹⁵³ Is the form *Dun-da-lethglas* attested in any undoubted pre-Norman document? Certainly the earlier form was *Dun-lethglas* or *Dun-lethglaise*. Perhaps the form with *da* (two) only arose about Jocelin's time. It seems rather unmeaning. *Dun-lethglas* would appear to mean 'the Dun of which one half was green,' perhaps grass-covered. Compare *Dun leithinn*, *Ann. Ulst.* 788. *Glas* as a substantive may mean 'a fetter,' and according to Irish idiom *Dun-lethglaise* might mean 'the dun of one of a pair of fetters.' In this case *Dun-da-lethglas* would invite explanation.

¹⁵⁴ *Ann. Ulst.*, *Ann. Loch Cé*, *Four Masters*, 1188.

¹⁵⁵ Lewis, *Topogr. Dict.*; cf. Westropp, *Trans. R.I.A.* vol. xxxi.

¹⁵⁶ *Gir. Cambr.* vol. v. p. 848, where *pons Ivori* = Newry. This was perhaps the same as the battle at Glenree (*Four Masters*, 1178), though there are discrepancies in the two accounts.

'Donachmayn' or 'Dovenaghmayn,' clearly the Dunelamein of previous records and the *Domhnach Maighen* of the annals.¹⁵⁷ This identification (made, I believe, for the first time), besides giving us a date for the first stone castle here, shows that at this period the frontier of English Uriel extended beyond county Louth into the present county Monaghan. Near Donaghmoyn House 'are the remains of an ancient castle or Danish fort, which, from its elevated situation and the remains of the buildings on its summit, appears to have been a strong and very important post' (Lewis). Further information is much to be desired, but I have little doubt that the above is a description of a mote.

1197. CAISLEN CILLE SANTAIL.—The Castle of Cill Santail, or Cill Santain, was erected in 1197. In the old translation of the *Annals of Ulster* it is called 'the Castle of Kilsandle.' There can be little doubt that the place intended is Mount Sandall, on the east side of the river Bann, not far from Coleraine, where there is a remarkable mound near the Salmon Leap.¹⁵⁸ An attempt has been made to identify this mound with a fort called Dun dá Beann (the dun of the two peaks), mentioned in an Irish tale, of which we have only a late version, called the 'Triumphs of Conghal Clairinghneach.'¹⁵⁹ It is described as 'of an oval shape 175 feet north and south by 140 feet east and west; with a trench in the centre which runs east and west, and is about seventeen feet from the bottom to the top of the ford [fort?]' There can be little doubt that it is the site of the castle built by John de Courcy, whether there was a pre-existing dun there or not. Both name and position suit in a remarkable way, though the description is not very clear. There is no other castle site known in the neighbourhood,¹⁶⁰ and probably no stone castle was ever built. The castle and twenty fees nearest to it, ten on each side of the Bann, were retained for the king in 1212, when an extensive grant of territory in the north-east of Ireland was made to Alan FitzRoland of Galloway; and again in 1215, when the lands (but apparently not the castle) of Killesantan, with the Castle of Coleraine and twenty knights' fees about the Bann, were granted to Alan's brother, Thomas of Galloway, earl of Atholl.¹⁶¹

1218. CAISLÉN CUILLE RATHAIN: Coleraine, co. Londonderry.—Erected in 1218 by 'Thomas MacUchtry and the English of Uidia; and all the cemeteries and buildings of the town were thrown down, excepting only the church, to supply materials for erecting this castle.'¹⁶² The castle, as we have seen, is also mentioned in the grant to Thomas de Galloway (who was, I think, Thomas MacUchtry), earl of Atholl, in 1215 under the name of 'Culrath.' It was demolished by Hugh de Lacy the younger in company with Hugh O'Neill in 1221. This castle would appear to have been of

¹⁵⁷ *C.D.I.* vol. i. nos. 1632, 1806, 2574, and vol. v. nos. 149, 157.

¹⁵⁸ *Ann. Loch Cé*, 1196; *Ann. Ulst.*, and *Four Masters*, 1197, note n. Inquis. Antrim, 1605, 'Kilsantill, alias Mount Sandall.'

¹⁵⁹ Monsignor O'Laverty's *Hist. of Down and Connor*, vol. iv. quoted in *Conghal Clairinghneach*, Irish Texts Society, p. 198.

¹⁶⁰ *Ulster Journal of Archaeology* (Old Series), vol. iii. p. 7.

¹⁶¹ *C.D.I.* vol. i. nos. 427, 564, 565; and cf. no. 942. I think it is the place called Villa Ossandali in the Irish Pipe Roll for the 46th Hen. III, transcribed in *Ulster Journal*, vol. iii. p. 161.

¹⁶² *Four Masters*, 1218, *Ann. Ulst.* 1214.

stone. 'There is a very high and perfect rath a little west of the Cranagh (near the mouth of the river); another close to the church of Killowen,' or St. John, the parish church on the western side of the river.¹⁶³ This latter may have been the site of the castle of 1218. The Castle of Druiim Tairsech, erected in 1248, seems to have been built at the same place.¹⁶⁴

ANTRIM.—This in 1215 was a royal castle and was delivered to the custody of Thomas de Galloway. It is also mentioned in the list of royal castles surrendered in 1221, and was committed to the custody of Walter de Lacy in 1226.¹⁶⁵ There is a mote marked on the ordnance map (25-in.) just behind the modern castle.

LUVETH: Louth.—The king's castle of Louth is mentioned in 1208–4.¹⁶⁶

There appears to be more than one mote in the immediate neighbourhood of the village of Louth, which was formerly a much more important place than it is at present. Castle Ring, a mote near the village, has 'a small stream surrounding it between the vallum and the counterscarp, and on the summit are the foundations of a hexagonal mural fort' (Lewis). This may have been the site of the castle.

CASTELLARIA DE DUNDALC: Dundalk, co. Louth.—Hugh de Lacy, earl of Ulster, dates a charter *apud Dundalc* and mentions his *castellaria* there.¹⁶⁷ The land here appears to have been originally given to Bertram de Verdon, and in 1217 the castle was restored to Nicholas de Verdon, his son.¹⁶⁸ There seems to have been no stone castle in the neighbourhood of Dundalk until Nicholas's daughter Rohesia, in 1236, 'fortified [i.e. built, *firmit*?] a castle in her own land against the Irish, which none of her predecessors was able to do'¹⁶⁹ This is believed to be Roch Castle, about four miles north-west of Dundalk. The *castellum* (presumably implied in the word *castellaria*) of Hugo de Lacy was probably the great fort in the townland of Castletown, about a mile from Dundalk. It is on the summit of a hill on the brow of which is an old castle, a massive quadrangular pile defended at the angles by square projecting towers. The fort is described as 'a circular mound having on the top a depressed surface, 460 feet in circumference, surrounded by an intrenchment with a high counterscarp on the outside. Adjoining this on the east is a quadrangular intrenchment with a rampart, fosse, and counterscarp; and on the west is a semicircular intrenchment similarly formed, but of smaller dimensions' (Lewis). In 1280 there was both a new and an old *vill* of Dundalk.¹⁷⁰ The new vill was probably Castletown, and the old vill *Traigh bhaile Duine Dealgan*, or Dundalk.

CARRICKFERGUS.—The castle here was surrendered to John by the adherents of Hugh de Lacy in 1210, and was afterwards retained as a royal castle. The existing castle is built on a rock jutting out into the sea. Mrs. Armitage, who visited it, considers that, with the exception of the

¹⁶³ Lewis, *Topogr. Dict.*

¹⁶⁴ *Ann. Ulst. and Four Masters*, 1248; and see O'Laverty's *Down and Connor*, vol. iv. p. 175.

¹⁶⁵ *C.D.I.* vol. i. nos. 567, 1015, 1371.

¹⁶⁶ *Ibid.* vol. i. no. 196.

¹⁶⁷ *Reg. St. Thomas's Abbey, Dublin*, p. 9. The charter must be dated between 1205 and 1210.

¹⁶⁸ Harris's *Ware, Antiquities*, p. 197; *C.D.I.* vol. i. no. 790.

¹⁶⁹ *Ibid.* no. 2334, and *Journ. R.S.A.I.* 1895, pp. 321–2.

¹⁷⁰ *C.D.I.* vol. ii. no. 1635.

later gate house and mural towers, it may date from De Courcy's time, and 'is an excellent instance of a castle on the keep and bailey plan, built by the Normans in stone from the beginning.'

CARLINGFORD.—The castle here was in the king's hands in 1215 and was treated as a royal castle up to 1221,¹⁷¹ after which it is lost sight of for many years. The existing castle is on a rocky promontory on the shore of the lough. It is clearly later than John's time, as it has no keep and is Edwardian in plan and in every detail (Mrs. Armitage). It is possible that the Normans found a Scandinavian stronghold here. The name is probably Scandinavian, though it is called 'the Carrlongphort' in the Irish annals under the year 1218, when it was burned by Aedh O'Neill.¹⁷²

JORDAN DE SAUKVILLE'S CASTLE, where King John stopped on 12 July 1210, is believed to have been at Ardglass, co. Down. The castle there called Jordan's Castle is, however, of much later date, and indeed is said to owe its name to the heroic defence of its proprietor, Simon Jordan, against the O'Neills in Elizabeth's time.¹⁷³ On the top of the hill called the Ward of Ardglass, probably the 'Green Height' to which the place owes its name, there is, if my memory serves me, an artificial mound. Indeed, several of the existing castles in Down appear to have been built on mottes¹⁷⁴—for example, Audley Castle, a structure of the same type as Jordan's Castle, at the entrance of Strangford Lough; Castlescreen and Clough Castle, south-west of Downpatrick; Castlereagh, near Belfast; while the great Castle of Dundrum is built on a mote of natural rock, probably scarped by art, with a ditch largely quarried out of the solid rock.¹⁷⁵

CASTLES IN THE COUNTIES OF TIPPERARY AND LIMERICK.

The kingdom of Limerick was granted by Henry II to Philip de Braose, and, though he appears never to have taken possession of it, his nephew, the unfortunate William de Braose, obtained in 1201 a regrant of the honour of Limerick from King John. It is unnecessary here to attempt fully to disentangle all the grants, resumptions, and regrants made by John, both before and after this year, of portions of this large district. The following sketch, the result of some study, must suffice. It seems probable that before the beginning of John's reign William de Burgh, Philip of Worcester, and others had erected some important fortresses in the south of Tipperary and in the east of Limerick,¹⁷⁶ and that

¹⁷¹ *C.D.I.* vol. i. nos. 611, 742, 1015.

¹⁷² *Ann. Loch Cé*, 1213; *Ann. Ulst.* 1214. It is called Cairlinn later on.

¹⁷³ Lewis, *Topogr. Dict.* 'Arglas' is mentioned however among the lands restored to Jordan de Saukville by Henr. III in 1217. *C.D.I.* vol. i. no. 775.

¹⁷⁴ Trustworthy information is however a desideratum. Lewis, *sub voce* Down, says that Castlescreen and Clough are 'built on Danish raths' and Castlereagh on 'a Danish fort,' but one never knows exactly what such phrases mean. Other writers are very little more exact. Of Castlereagh it is said that a mason, engaged in recent times to build a wall round it to preserve it, took down the old castle and built the wall with the materials thus economically procured. So careful are we of our historic memorials!

¹⁷⁵ For a detailed account of this castle, with plans, see *Journ. R.S.A.I.* 1883-4, p. 156.

¹⁷⁶ Kilfeakle and Knockgraffon (1192), Castleconnell and Carrigkittle (probably before 1200). These last two were probably the sites of existing Celtic fortresses.

Theobald FitzWalter had established large claims in North Tipperary, extending into Limerick.¹⁷⁷ Some time after the death of Donnell O'Brien in 1194 the English must have entered the town of Limerick, as they were expelled therefrom in 1196 by Donnell MacCarthy.¹⁷⁸ They were soon back again, and Hamon de Valoignes, as justiciary (1197-9), granted several burgages within the town. When John came to the throne he made large grants in the county of Limerick, perhaps confirmatory of existing acquisitions, among others to Hamon de Valoignes the two cantreds of Hochenil (*Ui Conaill*, now the baronies of Connello and Shanid); to Thomas FitzMaurice, ancestor of the earls of Desmond, five knights' fees in the cantred of Fontemel (an ill-defined district supposed by Mr. Westropp to lie to the south of Kilmallock); to William de Naas the Castle of Karakitel, with five knights' fees in Huhene (*Uaithne*, now represented, in name at least, by the baronies of Owney, in Limerick and Tipperary); to William de Burgh Ardpatrik¹⁷⁹ (near Kilfinnane), with the residue of the cantred of Fontemel. Some further grants were made of lands in Huhene and elsewhere near Limerick, and then in 1200-1 John gave the honour of Limerick to William de Braose, 'to hold of the king in fee by the service of sixty knights, excepting the service of William de Burgh,' who remained a tenant *in capite*. This grant, however, and perhaps some of the preceding ones, conflicted with existing claims, especially with those of Philip of Worcester and Theobald FitzWalter. The former is said to have recovered part of his lands by force of arms, while the latter regained his by a payment of 500 marks to William de Braose.¹⁸⁰ In the year 1200 Cathal Crovederg O'Connor burned the 'market' or *bodhun* (bawn) of Limerick and Castleconnell, and a period of great confusion followed in both Connaught and Munster. The sons of Rory O'Connor fought against each other, and William de Burgh, John de Courcy, and Hugh de Lacy the younger joined in, generally on opposite sides. In 1208 Meiler FitzHenry, the justiciary, and Walter de Lacy came with an army to Limerick to restore order, and William de Burgh on giving hostages received back some of his lands and three castles.¹⁸¹ William de Burgh died in 1204, and Theobald FitzWalter in 1205, both leaving infant heirs. John accordingly took their lands into his own hands, and directed an inquisition to be made whether

¹⁷⁷ The grant to him by William de Braose circa 1201 was probably confirmatory of previous acquisitions. Theobald's charter of foundation to the Abbey of Owney or Abington was made in the reign of Richard I.

¹⁷⁸ *Ann. Loch Cé*, 1195; *Ann. Ulst.* 1196.

¹⁷⁹ According to Ware's *Annals* the English built a castle at Ardpatrik in 1198. There is no castle site known to Mr. Westropp there, but the mote of Kilfinnane cannot be much more than a couple of miles away.

¹⁸⁰ Roger of Howden, vol. iv. p. 158; cf. *C.D.I.* vol. i. no. 169, a peremptory mandate to Philip of Worcester to deliver up all his lands, the castle of Onoegravan, and other castles to William de Braose. The grant to Theobald Walteri is transcribed in the *Facsimiles of National MSS. of Ireland*, vol. ii. no. lxxvii. The lands mentioned include the borough of Killaloe, the whole of North Tipperary, Eliocarroll, in King's County, and the barony of Owneybeg, in Limerick.

¹⁸¹ *Ann. Loch Cé*, 1208; and cf. *C.D.I.* vol. i. nos. 181, 187. The castles seem to have been Askeaton, Kilfeakle, and Castleconnell. It is probably to this intervention of Meiler FitzHenry in Limerick that allusion is made in some MSS. of the *Expugnatio Hibernica*, p. 349.

the Castle of Kilmehal (supposed to be Kilmallock?), the cantreds of Karebry Wuh'trah (barony of Coshma, co. Limerick), Slevardah (barony of Slieveardagh, co. Tipperary), Cumsy (a district east of Fethard), Heyghana Cassel (the barony of Middlethird), and the cantred in which the Castle of Harfinan (Ardfinnan) was situated (Iffa and Offa West) belonged to the kingdom of Cork or the kingdom of Limerick. In the former case the justiciary was to take them into the king's hand as demesne of the king.¹⁸² We may infer that the four last named cantreds were found to belong to the kingdom of Cork, as John afterwards in 1215 gave them, together with Muskeriequirt (the barony of Clanwilliam, co. Tipperary), to Philip of Worcester.¹⁸³ At the same time William of Worcester made a fine to have the manor of Gren, which was in the king's hands.¹⁸⁴ This was the manor of Grean, or Pallas Grean, now included in the barony of Coonagh. It was afterwards a manor of the FitzGerald's.¹⁸⁵ Near the church is a mote on which, as we learn from the journal of Thomas Dineley (*temp.* Charles II), a castle once stood.¹⁸⁶

From the foregoing it seems probable that we may date the beginning of castle-building in co. Tipperary at the year 1192, and in co. Limerick at quite the close of the century.

I have not mentioned a castle at the town of Limerick itself, for I think there is no clear evidence of a castle there until 1217 at any rate, when Reginald de Braose 'acknowledges to have received the custody of the castle and city of Limerick.'¹⁸⁷ Even then it is not likely to have been a very important building. In 1224 its stores were worth scarcely eighteenpence.¹⁸⁸ The existing castle even in plan is of much later date, and is absurdly ascribed to King John. Payments to men (archers) watching 'the tower of the bridge of Limerick towards Thomond,' apparently the north-western tower (?), believed to be the oldest part of the castle, first occur in the Irish Pipe Roll of 5 Edward I.¹⁸⁹

¹⁸² *C.D.I.* vol. i. no. 289. The above equations are only approximate. Karebry Wuh'trah was probably part of *Ui Cairbre Aebhdha* (*Topogr. Poems*, note 678); Cumsy is mentioned as the name of a pass between Fethard and the marches of Ossory, (*C.D.I.* vol. i. no. 2583). It is elsewhere disguised as Letungay, &c., where *t=c* and *le* is either the French article or the Irish for 'half.'

¹⁸³ *C.D.I.* vol. i. nos. 601, 613; cf. no. 1268, and the grant to Otho de Grandison, *ibid.* vol. ii. no. 1847, where Estremoy is the barony of Clanwilliam, co. Limerick.

¹⁸⁴ *C.D.I.* vol. i. no. 614.

¹⁸⁵ *Ibid.* no. 2045, &c.

¹⁸⁶ *R.S.A.I.* 1864-6, p. 288, where Dineley says, speaking of 'Grayne Church,' 'This adjoins to a town called Pallice, remarkable for a neat mount anciently a Danes' fort, and upon which hath bin also anciently a castle.' For the legend of Cnoc Greine, a hill in the neighbourhood, see Joyce, *Names of Places*, vol. ii. p. 243. Dr. Joyce, not satisfied with finding an ancient fort called Seefin on the top of the hill, claims the mote also as a residence of the lady Grian. Dr. Joyce says the Irish *Palas* is a loan word from *palatium*. I think it was more probably taken directly from the French *paleis* or *palais*. It is generally, if not always, applied to an old Norman site. Hence the coincidence with motes.

¹⁸⁷ *C.D.I.* vol. i. no. 788.

¹⁸⁸ *Ibid.* no. 1227.

¹⁸⁹ *86th Rep. Dep. Keeper*, p. 40, also p. 51. The Pipe Rolls for Henr. III are very fragmentary. 'A chamber was constructed in Limerick Castle' in 1230. In 1261 the bridge appears to have been of wood, as there were expenses 'for joists bought to repair it (*85th Rep.* p. 41), but a stone one may have been erected before 1276, and the reference to the tower of the bridge of Limerick may be to a tower at the end of the bridge. Two such towers are shown in the map in *Pacata Hibernia* (1693).

1192. CAISLEN CNUIC RAFFONN: Knockgraffon, co. Tipperary.—This castle was erected in 1192,¹⁹⁰ and John ordered Philip of Worcester to deliver it to William de Braose in 1202.¹⁹¹ After the disgrace of De Braose it was granted, together with nearly all the southern half of co. Tipperary, to Philip of Worcester.¹⁹²

The mote of Knockgraffon is a fine example of the type under consideration. The mound is said to be 55 feet in perpendicular height and 60 feet in diameter at top (I made it only 15 paces). The bailey is 70 by 57 paces. A wide ditch and vallum surround both mote and bailey, except on the north-east side, where the trace is slight. The bailey is somewhat higher than the surrounding land, and has a low rampart all round. It is cut off from the mote by the mote-fosse. There are indications of a rectangular stone building on the flat top of the mote and extensive foundations in the middle of the bailey. A portion of a small rectangular building remains near the middle of the north-east side of the bailey. It is about 12 by 10 feet interior measurement, with walls about 4 feet thick. One rectangular loophole in the basement is perfect. It is about 4 feet by 4 inches. There are corbels to support the floor above. The church is about 100 yards to the north. It has a large nave and chancel, with pointed arch between. The east window with cinquefoil mouldings was apparently inserted, as there is a high round arch with fluted mouldings and Early English corner-shafts surrounding it. There are ruins of a (later) castle about 400 yards further north.

It has been asserted that this mote was the fort of Fiacha Muilleathan, a Munster king contemporary with Cormac MacArt (third century A.D.) Such an assertion is worthless until it is shown that the Irish at that period raised earthworks of this type.¹⁹³

1192. CAISLEN CILLE 'FIACAL: Kilfeakle, a townland and parish in co. Tipperary.—Erected in the same year as Knockgraffon, this castle was destroyed by Donnell MacCarthy in 1196. It must have been rebuilt, as it was restored to William de Burgh in 1208. The manor belonged to Richard de Burgh at his death.¹⁹⁴ Close to the village of Kilfeakle there is a mote and bailey very similar to those at Knockgraffon (even as respects orientation), except that the bailey, being on an esker, is raised higher. There are traces of masonry down the slope of the mote in the direction of a large lump of mortared masonry in the bailey, as if both were the remains of the piers of a drawbridge (?). The ruins of the old church are not far off, and about a mile away are the ruins of a castle. The priory of Athassel, founded by William de Burgh, is about three

¹⁹⁰ *Four Masters*, 1192.

¹⁹¹ *C.D.I.* vol. i. no. 169.

¹⁹² *Ibid.* no. 601.

¹⁹³ It may however be pointed out that Rafann and Grafann, though both apparently identified by O'Donovan with Cnoc Rafonn, must have been different places, as they are both mentioned in the same list in the *Book of Rights*, pp. 88, 91, 98. It is probable however that one of the names does refer to some place in the district known as Knockgraffon, but the townland is a large one (3,420 acres), and the hill known as the Gorse of Knockgraffon, where I should look for the fort, is more than a mile away from the mote. The name 'Knockgraffon' could not possibly have originated in the mote, which rises out of the level. There is no *cnoc* there.

¹⁹⁴ *Four Masters*, 1192 and 1196, note a; *C.D.I.* vol. i. nos. 187, 2607.

miles distant. The demolition of a castle at Kilfeakle in 1581 is recorded.¹⁹⁵

KARAKITEL: Carrickittle, a townland in the parish of Killeely, co. Limerick (O.S. 88).—The castle here, with five knights' fees near it, was granted by John to William de Naas in 1199.¹⁹⁶ It therefore already existed. 'About half a mile south of the village of Killeely is, or rather was, a remarkable limestone rock (giving name, I suppose, to the townland) rising sheer out of the plain, some 25 feet high, but not of any extent. Castle foundations were to be seen on it forty years ago, but most of the rock has been since quarried away. There may have been earthworks there, but they have been from time to time levelled' (Mr. J. Grene Barry). This 'rock mote' was probably the site of the twelfth-century castle. A stone castle was however erected on this rock by the earl of Kildare in 1510.¹⁹⁷ In the west suitable rock sites are so numerous that probably it was often found unnecessary to erect earthen motes.

CASTLE DANY: perhaps for Castle d'Any, now Knockainy, a townland and parish in Small County, Limerick.—It was apparently included in the grant to William de Naas of the five knights' fees near the Castle of Karakitel.¹⁹⁸ It is afterwards frequently mentioned in the *Calendar* as Anye or the manor of Any. Mr. Westropp says there are two small and probably sepulchral tumuli near Aney. I have no other information.

CAISLEN UI CONAING: Castleconnell, barony of Clanwilliam, co. Limerick.—This place was burnt by Cathal Crowderg O'Connor in 1200.¹⁹⁹ If we can trust Ware's *Annals*, in 1201 King John gave William de Burgh 'five knights' fees wherein is situate the Castle of Canic . . . yet so that if he shall fortify the castle and we shall desire to have it in our own hands we shall give him a reasonable exchange for it.' It afterwards belonged to Richard de Burgh,²⁰⁰ and was again burned and demolished in 1261.²⁰¹ The slight existing remains are situated 'on an isolated limestone rock having an area of forty-two yards by twenty-seven and a half' close to the Shannon (Lewis).

ASKELON.—The castle here, restored to Richard de Burgh in 1215, was probably the castle of the manor of Estclone, which belonged to Richard de Burgh at his death.²⁰² The district of Eschluana (*Aes Chluana* = the people of the *Cluain*) appears to be now represented by the parish of Kilkeedy, in the barony of Pubblebrian, co. Limerick.²⁰³ The castle site is unknown, but it may have been the rock on which the later castle

¹⁹⁵ *Four Masters*, 1581, p. 1761.

¹⁹⁶ *C.D.I.* vol. i. no. 94.

¹⁹⁷ *Four Masters*, 1510, where see O'Donovan's note; and see Westropp, *Trans. R.I.A.* vol. xxvi. p. 188, for later notices. Mr. Westropp prints this first notice quite differently from the *Calendar*, to which he refers. I take the fee of Syachmedth to be the *Clar an t-Seachtmadh* of O'Huidrin, *Topogr. Poems*, p. 130, and *Book of Rights*, p. 49.

¹⁹⁸ *C.D.I.* vol. i. no. 104, and see Westropp, *Trans. R.I.A.* vol. xxvi. p. 181, for many notices of the manor and two castles.

¹⁹⁹ *Ann. Loch Cé*, 1200.

²⁰⁰ *C.D.I.* vol. i. nos. 2422, 2607.

²⁰¹ *Ann. Loch Cé*, 1261. For the later history see Westropp, *Trans. R.I.A.* vol. xxvi. p. 84.

²⁰² *C.D.I.* vol. i. nos. 585, 599, and 2607.

²⁰³ *Journ. R.S.A.I.* 1903, pp. 197–200; *ibid.* 1867, p. 89, note.

of Carrigogunnel stood, in which case its position may be compared with that of Carrickittle and Castleconnell.²⁰⁴

1208. MILEC : Meelick, on the Shannon, co. Galway.—This castle, the only one I find actually recorded as having been erected in Connaught within the period, may be mentioned here along with other De Burgh castles. I have already quoted the curious entry in the *Annals of Loch Cé* under the year 1208, which seems to state that William de Burgh used the stone church of Meelick as the core of a mote which he erected as part of his fortress.²⁰⁵ In 1238 Henry III imperatively demanded the surrender of a castle here from Richard de Burgh,²⁰⁶ but some arrangement was made by which he was left in possession, and the inquisition on the death of William de Burgh, earl of Ulster, in 1333, shows that the Castle of 'Melok' was then part of the manor of Loughrea.²⁰⁷

ASKEATON, on the river Deel, in the barony of Lower Connello, co. Limerick.—The name appears in the *Calendar* in various forms, of which the archetype was probably 'Inniskefty.' The castle was built in 1199, probably by Hamon de Valoignes.²⁰⁸ The present castle ruins are situated on an islet in the river Deel. In its centre a flat-topped crag with precipitous sides, surrounded by a wall, forms the upper bailey. At one end of this stands a fifteenth-century keep, and at the other, seventy-two feet distant, a thirteenth-century tower, probably an older keep. On the lower level of the islet is another bailey, in which the fine fifteenth-century banqueting hall stands. Mr. Westropp's plan of the castle shows how closely it conformed to the mote and bailey type. It probably occupies the site of Hamon's castle, and perhaps that of 'Geibhtine' mentioned in the *Book of Rights* as a 'seat' of the Munster kings.²⁰⁹

²⁰⁴ One is tempted to identify the Castle of Esclon with Carrigogunnel, where the ruins of a castle stand 'on a lofty plateau of igneous rock' overlooking the Shannon. See description and plan, Westropp, *Trans. R.I.A.* xxvi. (c), p. 146. The main difficulty is that Carrigogunnel is said to have been granted by John when at Waterford (1210) to Donough Cairbreach O'Brien (*Ann. Inisfallen*, Dublin copy, quoted in *Four Masters*, anno 1209, note); but these annals have been largely interpolated, and, as the O'Briens held the castle from the fourteenth century, John's grant may easily have been wrongly particularised, or the grant may have been resumed.

²⁰⁵ *Ante*, vol. xxi. (1906), p. 420.

²⁰⁶ *C.D.I.* vol. i. no. 2032.

²⁰⁷ *Ibid.* nos. 2093, 2908, and *Journ. R.S.A.I.* 1902, p. 393.

²⁰⁸ *MS. Ann. of Inisfallen*. Mr. Westropp, in his elaborate 'Notes on Askeaton' (*Journ. R.S.A.I.* 1903, p. 28), says that the founder was most likely William de Burgo, but I think he is mistaken. 'The two cantreds of Hochenil in the land of Limerick' (*Ui Conaill*, now the baronies of Upper and Lower Connello) were granted by John, before he came to the throne, to Hamon de Valoignes, the justiciary (*C.D.I.* vol. i. no. 92), and in 1215 his father's lands and the castle of 'Hinckesty,' or 'Hineskeffy,' were confirmed to his son (*ibid.* nos. 592, 593). There is nothing to connect William de Burgh with this district except a mandate in 1203 for livery to him of his castles of Killefeole and 'Hineskeasty' (*ibid.* no. 187), but he probably had only the custody of Hineskeasty (Askeaton) during the minority of Hamon's heir. After William de Burgh's death, circa 1206 (*ibid.* 288), the custody of Hamon's lands was granted to Hugh de Nevill (*ibid.* 362). Another early Norman site in this district was probably Shanid, where there is a large mote and bailey with considerable remains of a castle on the mote.

²⁰⁹ *Book of Rights*, p. 87 *et seq.* *Eas Geibhtine* would yield 'Askeaton.' Mrs. Armitage calls Askeaton 'an excellent instance of a motte and bailey castle, where the motte is of natural rock.' In this I think she is right, but she is not quite correct in

Here, as in several other sites in the west, a natural crag takes the place of an artificial mote of earth.

KILTEVENAN: Kiltinan, a townland and parish in the barony of Middlethird, co. Tipperary.—It is mentioned, together with Knockgraffon and Ardmayle, in the grant to Philip of Worcester, 1215.²¹⁰ There is a massive circular tower here (joined on to modern buildings), situated on a rock above the river valley. It may have been cut off from the land side in the usual way of a promontory fortress, but no earthworks are now visible.

CASTLE OF KILMEHAL.—This castle, mentioned incidentally in the *Calendar*,²¹¹ is supposed to have been in the town of Kilmallock (*Cill mo Ceallog*), but this is very doubtful. There is no other notice of a castle here for centuries. The lands here were held of the bishop of Limerick, to whom 'the burg of Kilmehalloc' belonged in the thirteenth century.²¹² There were murage fines or grants in the reigns of Edward I, Edward III, and Henry IV, and Mr. Westropp considers the king's castle at Kilmallock later than these.²¹³

In 1214 John ordered seisin to be given to Reginald de Pontibus of 'the castles of Dorles, Roskere or Rokerell, Loske, Armolen, and Kakaulis, which belonged to Theobald Walter, in Ireland.'²¹⁴ They were in the king's hands during the minority of Theobald's heir. Of these castles Dorles is certainly Thurles; Roskere is possibly Roscrea (to be mentioned by-and-by); Loske I cannot identify;²¹⁵ Armolen is probably Ardmayle, co. Tipperary; and Kakaulis (if we read Kakanlis) certainly looks like a rendering of Caherconlish, already mentioned.

DORLES: Thurles.—The Castellum de Durles is named in a charter by Theobaldus Walteri to Gilbert de Kentewell (afterwards Cantwell) of lands in Eliogarty, in the neighbourhood of the Devil's Bit and Templemore.²¹⁶ The existing castle is described by Mrs. Armitage as 'late, a

saying that the list in the *Book of Rights* is 'clearly one of lands, not of forts.' It is headed in the prose version *Do phortaibh righ Caisil ann so*, and the word *port* (Latin *portus*) is often used of a fort, or more generally, as O'Donovan here translates it, of a 'seat.' Many fort names too are mentioned, such as *Cathair dun* and *rath*. Many district names are however included, such as the *magh* names, the Aras, and the territorial tribe names at the end. Apart from Grafann, and with the doubtful exception of Treada na riogh (wildly identified with the mote at Kilfinnane), no earthen mottes have been recorded at any of the places mentioned, so far as O'Donovan has attempted to identify them. For Mr. Westropp's plan and description of Askeaton see *Journ. R.S.A.I.* 1904, p. 118.

²¹⁰ *C.D.I.* vol. i. nos. 601, 613.

²¹¹ *Ibid.* no. 289.

²¹² *Ibid.* nos. 2367, 2386, and vol. iii. no. 967; Irish Pipe Roll, 1 Ed. I, 86th Rep. Dep. Keeper, p. 23.

²¹³ *Trans. R.I.A.* vol. xxvi. (c), p. 189.

²¹⁴ *C.D.I.* vol. i. no. 514.

²¹⁵ Certainly not Lusk, co. Dublin, as Mrs. Armitage, misled by the editor of the *Calendar*, supposed. She found 'no remains of either motte or castle there.' 'Lusca,' with its churches, belonged to the archbishop of Dublin (*C.D.I.* vol. i. no. 1787; *Crede Míhi*, no. xxxiii.)

²¹⁶ See charter, transcribed *Journ. R.S.A.I.* 1854-6, p. 381. This charter is witnessed by William de Burgh, so that it is earlier than 1204; also by Hubert Walteri. As Theobald's brother Hubert was advanced to the see of Salisbury in 1189, and is not here designated bishop, it has been suggested that this deed must be older than that date.

keep with trefoil windows and bailey.' There seems good evidence of the former existence of a mote here. Lewis has a statement to this effect which Mrs. Armitage verified from information on the spot; it stood 'in the gardens behind the castle.' Two miles north of Thurles is the townland of 'Brittas,' with its 'modern-Norman' castle, and an intervening townland is called Brittas Road.²¹⁷

ARMAILL: Ardmayle, a townland and parish in the barony of Middlethird, co. Tipperary.—It is mentioned along with Knockgraffon and Kiltinan as existing in 1215. The 'cantred of Ardmull' was in 1207 committed by John during pleasure to Walter de Lacy,²¹⁸ and this seems to be the 'cantred of Armaill' which Henry III restored to Walter de Lacy in 1217,²¹⁹ and which, under the name of Ioganach Cassel (*Eoghanacht Chaisil*), was in 1225 given to Richard de Burgh, as being the marriage portion of his wife, Egidia, daughter of Walter de Lacy.²²⁰ There is a mote at Ardmayle 80 feet high, with crescent-shaped bailey, the walls of which are carried up the mote. It is near the old church and not far from the ruins of Castlemayle, a Tudor building. There is also a peel tower somewhat similar to that at Tibberaghny.²²¹

CAHERCONLISH, in the barony of Clanwilliam, co. Limerick.—In 1199 Kakinles Castle was commenced.²²² Kakaulis (I suppose a mistake for Kakanlis) Castle belonged to Theobald FitzWalter at his death in 1205.²²³ The Burkes in later times had a stronghold here. 'There is nothing left above ground but a chimney of late date. A few yards from it is a hillock, which has very much the appearance of a mutilated motte' (Mrs. Armitage). The townland a little to the north of the village of Caherconlish is called Knockatancashlane, 'the hill of the old castle.' There are still some remains of the stone ramparts of a castle here on the top of a sloping hill, which ends towards the west in a steep bare rock (J. Grene Barry). The name *Cnoc an t-sean-chaisleain*, or the like, is commonly applied to an old castle site abandoned for a new one, and perhaps this was the site of Theobald FitzWalter's castle.

CASTLES ERECTED BY JOHN DE GRAY (1210-8).

John de Gray, bishop of Norwich, left behind as justiciary by King John when he departed from Ireland in 1210, was an energetic castle-builder. Most of his castles, such as Athlone, Clonmacnois, Birr, and Roscrea, seem to have been designed to secure 'a scientific frontier' for Meath] (including Ely O'Carroll) on the west. Two outlying castles however, built at the same time and under the same auspices, must have had a different object. One of these was at Clones, near the upper end of the long string of lakes in Fermanagh, and the other at a place called Caoluisce, where the waters narrow at the lower end. They were well

²¹⁷ *Ante*, vol. xxi. p. 432.

²¹⁸ *Ibid.* no. 748.

²²¹ Mr. Stallybrass's plans and notes.

²²² Westropp, *Trans. R.I.A.* vol. xxvi. p. 98. The authority is not given.

²²³ *C.D.I.* vol. i. no. 514. The Cistercian house founded by Theobald FitzWalter at Owney, or Abington, was not far off.

²¹⁹ *C.D.I.* vol. i. no. 363.

²²⁰ *Ibid.* no. 1268; cf. no. 791.

placed to guard the approaches from Tyrone and Tyrconnell to the south, if only the districts in the rear had been secured; but this was not done, and they were immediately swept away. The *Annals of Loch Cé* indeed state that the object of the 'foreign bishop' was 'to take possession of the north of Erin.' Whatever the object was, it failed.

1210. **ATHLONE.**—A castle here was built in 1210 by John de Gray, who at the same time built a bridge across the ford.²²⁴ The castle was built on land belonging to the monks of Athlone, and a tenth part of the expenses of the castle was ordered to be given to them in exchange for their land.²²⁵ A castle (*caislen*) is said to have been built at Athlone by Turlough O'Connor in 1129.²²⁶ This is one of the very few cases in which the erection of a pre-Norman castle is mentioned. The others, so far as I have noticed, are the castles of Dun Leodha (Ballinasloe), Gaillimh (Galway), and Cuil Maoile (Collooney, near Sligo). These were erected by Connaught men in 1124.²²⁷ The Castle of Cuileanntrach was demolished in 1155.²²⁸ There are many places of this name. O'Donovan supposed it to be Cullentry, in the parish of Rathmolyon, co. Meath. Finally in 1164, according to the Dublin copy of the *Annals of Inisfallen*, 'a wonderful castle was erected at Tuam by Rory O'Connor.' Whatever may have been the nature of these Irish *caislein*²²⁹ I cannot find that there is a mote at any of the places named, except Athlone. This result is hardly reconcilable with the view that would account for the extraordinary coincidence of existing motes with early Norman castle sites by the hypothesis that the motes were erected for Celtic castles and that the Normans habitually chose the same sites.

The castle of 1210 at Athlone was of stone. In the *Annals of Clonmacnois*, of which we have in general only got an English version, the Irish is here given in the margin, and it is expressly called *caislen cloiche* ('castle of stone'), and we may infer that it was a novelty. Moreover we are told that a stone tower (*tor cloiche*) was built in the castle, and that it fell and killed Richard Tuit and eight other foreigners.²³⁰ Sir H. Piers, writing in 1682, before recent alterations, says, 'It (the castle) is built on a high-raised round hill, resembling one of our Danish raths or forts, the walls whereof do almost shut up the whole ground; in the centre whereof is a high-raised tower, which overlooketh the walls and country round about.'²³¹ Lewis's *Dictionary* (1833) says, 'The oldest of the works is a tower of decagonal form, which, from the massive structure of the walls, was probably the keep of the ancient castle, though having

²²⁴ *Ann. Loch Cé*, 1210, where the castle is said to have been built, 'instead of' (a *n-ionad*) O'Connor's castle, not 'on its site.'

²²⁵ *C.D.I.* vol. i. no. 507. Other compensation was afterwards given (*ibid.* no. 693).

²²⁶ *Ann. Loch Cé*, 1129. It is called a *longport* (*Four Masters*, 1155).

²²⁷ *Ibid.* 1124.

²²⁸ *Ibid.* 1155.

²²⁹ The word *caislen* is only a derivative of the Irish word *caisel*, 'a wall,' often applied to the dry-stone ring-forts in the west. It is probably not connected, directly at least, with *castellum*, which gave rise to the Irish *caistel*. Not much stress can in any case be laid on the language of the annalists, which for this period is certainly not contemporary.

²³⁰ The passage is quoted, with the Irish, in a note to the *Four Masters*, p. 168. Perhaps the mote had been too recently made to afford a proper foundation.

²³¹ *Collectanea de Reb. Hib.* vol. i. p. 86.

a new exterior; it is situated on a lofty mound supported on the side next the river by a stupendous wall.' Mrs. Armitage says, 'The keep is placed on a lofty motte which has been partially revetted with masonry.'²³²

1218. CLONMACNOIS, King's County, on the Shannon.—A castle was built here in 1218, probably by (or in pursuance of the plans of) John de Gray on behalf of the king, and at the same time castles were erected, or rather re-erected, at Durrow, Birr, and Kinnitty.²³³ These places were all on the borders of that portion of the kingdom of Meath which is now included in King's County. Castles are also mentioned in the same connexion at Ballyboy and Kinnelare (perhaps near Clara, in the barony of Kilcoursy).²³⁴ Except Clonmacnois and Durrow, and perhaps Birr, I doubt if any of these places were retained by the English.²³⁵ In 1215 compensation was ordered to be given to the bishop of Clonmacnois for his land occupied in building the castle, for his fruit trees cut down, his cows, horses, oxen, and household utensils taken away.²³⁶ Clonmacnois was one of the royal castles surrendered to the king by Geoffrey de Mariscis in 1221, and was afterwards treated as such. The present remains of a stone castle are situated on a mote to which a bailey is attached, and, as in the case of Ardmayle and some other places, the wing walls of the bailey run up the mote (Mrs. Armitage).

1218. ROSCREA.—According to the *Four Masters* a castle was erected here in 1212. I have already quoted at length an inquisition of the year 1245 which describes the circumstances in which 'a mote and *britagium*' were erected at Roscrea by Henri de Londres, apparently in the year 1218.²³⁷ I then showed the substantial accuracy of the inquisition, but left it an open question whether the mote and *britagium* of the inquisition and the castle mentioned by the *Four Masters* were the same or different fortresses. I find, however, that there is no real discrepancy of dates, for the *Four Masters* at this period are in general a year behindhand in their reckoning. Besides it is evident that the mote and *britagium* were erected on the church property at Roscrea, in early times belonging to the monastery of St. Cronan, and afterwards the seat of a small diocese, which towards the close of the twelfth century was united with that of Killaloe. The castle here was a royal castle. It was 'constructed anew' in the sixth and seventh years of Edward I, when over 700*l.* was expended 'on wages of carpenters, masons, quarrymen, &c.; iron, lead, &c.'²³⁸ This entry gives us, I think, a valuable date for the plan of the existing castle and its oldest buildings. Moreover it entirely explains and confirms Mrs. Armitage's note: 'There is no motte now at Roscrea, but an Edwardian castle with mural towers and no

²³² Large sums appear to have been expended 'in construction of fortifications and buildings at Athlone' and other castles in 1276-8 (Irish Pipe Rolls, 5 and 7 Ed. I.).

²³³ The *Annals of Clonmacnois* give the fullest account; cf. *Ann. Loch Cé*, 1214, and *C.D.I.* vol. i. no. 600.

²³⁴ *Ann. Clon.* 1218.

²³⁵ The rest seem to have been at once destroyed by Cormac, son of Art O'Melaghlin, and we hear nothing more about them. I have no information as to castle sites at Kinnitty, Ballyboy, or Clara.

²³⁶ *C.D.I.* vol. i. no. 694.

²³⁷ *Ante*, vol. xxi. (1906), p. 498.

²³⁸ Irish Pipe Rolls, 8 Ed. I.; *Thirty-sixth Rep. Deputy Keeper*, p. 47.

keep; a fourteenth-century gate-house tower. Here we have a proved instance of a motte completely swept away by an Edwardian transformation.'

BIRR, King's County.—This was in Ely O'Carroll, a district included in the grant to Theobald FitzWalter, who probably built the first castle here. It was destroyed by Murtough son of Brian O'Conor in 1207 along with the castles of Kinnitty and Lothra. In 1218 it was 'finished and aided.'²³⁹ It seems soon to have passed into the hands of the O'Carrolls. The 'stronghold, called the "Black Castle," stood some sixty yards north-west of the present building, on the high bank of the river. The principal tower was raised on an artificial mound. . . . This older fortress has long since been demolished.'²⁴⁰

1212. CLONES, co. Monaghan.—The castle here, erected in 1212 by John de Gray 'to take possession of the north of Erin,' was burned next year by Hugh O'Neill, and we hear no more about it.²⁴¹ There is a mote at Clones mentioned by Mr. Westropp, who also records that 'its ditches were filled up to enlarge the garden in its bailey.'²⁴² It is described 'as very steep and rather difficult of access, being on the summit of a considerable hill' (Lewis). Were it not for the entry in the annalists the existence of a mote at so outlying a place as Clones would be rather puzzling.

1212. CAOLUISGE (*Narrow-water*), somewhere near the lower end of Lough Erne, where the lake narrows into a river.—A castle was erected here in 1212 by Gilbert MacCostello, with the aid of 'a hosting of Connaught men' summoned by John de Gray. It was burned next year, and Gilbert MacCostello was killed in it.²⁴³ We read of the erection of another castle here in 1252 and its destruction in 1257. The district between Lough Erne and the sea was the gate of Connaught from Tyrconnell and the scene of many a fight. The castle site has not been determined, possibly because a mote, unaccompanied by stone remains, has not hitherto been considered a castle site.

WATERFORD CASTLES.

Next we may group a few castles which seem to have been originally placed to hold and protect the district of Waterford or the Decies. This

²³⁹ *Ann. Clonmacnois*, 1207, 1213. Lothra is perhaps Lorrha (Ir. *Lothra*).

²⁴⁰ *Ancient Castles of Ireland*, by C. L. Adams (London, 1904), p. 48. I have not examined the authorities relied on by the writer, nor is it quite clear whether the mote still exists.

²⁴¹ *Ann. Ulst.* and *Ann. Loch Cé*, 1212, 1213; *Four Masters*, 1211, 1212.

²⁴² *Journ. R.S.A.I.* 1904, pp. 322, 345. The reference he gives to prove that there was an early fort there razed by the Gentiles clearly refers not to a fort, but to the church destroyed by the Gentiles (*Ann. Ulst.* 836); and so O'Donovan understood the passage; see *Four Masters*, 836, note d. The ancient monastery of St. Tigernach with its round tower was at Clones.

²⁴³ *Ann. Loch Cé*, *Ann. Ulst.* 1212, 1213. O'Donovan seems to have looked for it at Castle Caldwell, near the end of the lake on the north side, where, however, no remains of a castle were visible (*Four Masters*, 1111, note). I should rather expect it to be on the south side of the river. The 'hosting of Connaught men' mentioned affords an indication of how the labour necessary to raise these motes was obtained—a supposed difficulty put forward by the opponents of the Norman theory.

district was divided from the kingdom of Cork by the Blackwater and Lismore. The custody of this district was given by John in 1215 to Thomas FitzAnthony and his heirs. The castles of Waterford and Dungarvan alone are mentioned. In 1185, however, when John first came to Ireland, he is said to have built castles at Lismore and Ardfinnan, which may be regarded as on the frontiers.

1185. LISMORE, co. Waterford.—The *Song of Dermot* says that Henry II, when at Lismore, wished to build a castle there, but the erection was postponed. This probably means that he began the erection of a castle, as otherwise it would hardly be mentioned. John, however, built one in 1185.²⁴⁴ Here Robert de Barry was slain soon afterwards, and the castle probably burnt. At any rate I think we hear no more about that castle. In 1218 however the bishop of Waterford complained that he had been unjustly dispossessed of the castle and vill of Lismore.²⁴⁵ The dispute between the bishop of Waterford and the bishop of Lismore arose from the former's claim that the two sees had been united.²⁴⁶ In 1220 however Lismore was recognised as an independent see,²⁴⁷ and it remained so for more than a century. The dispute continued about other manors, but the manor of Lismore belonged to its bishop,²⁴⁸ and I think it is probably to a bishop of Lismore should be ascribed the erection of the first castle on the present castle site. We hear of no dispute between the crown and the bishop of Lismore,²⁴⁹ nor of compensation paid to him, as in the cases of Athlone, Roscrea, Clonmacnois, &c., where ecclesiastical land was taken, so that we may be pretty sure that the castle erected by King John was not near the old monastery. There is a mote near Lismore, upwards of a mile from the cathedral and the present castle. It stands near the river, guarding what seems to have been an ancient ford. It is a typical Norman mote, with small wedge-shaped bailey, forty paces long by twenty-four at the wider end, and is, I think, the site of the castle commenced by Henry and finished by John. Mr. Westropp, indeed, asserts that this mote is the prehistoric fortress called Dunsginne, or Mag Sgiath, and afterwards Lismor, mentioned in the 'Life of St. Carthach,' who formed a religious establishment at Lismore about the year 688. But the Great Liss, *Lismor Mochuta*, as it was called after the saint, in all probability sur-

²⁴⁴ Gir. Cambr. vol. v. p. 386; *Ann. Inisfallen*, 1185.

²⁴⁵ *C.D.I.* vol. i. no. 851. The dispute, however, was of much older standing. In 1203 the bishop of Waterford was excommunicated because he seized, despoiled, wounded, imprisoned, and beat the bishop-elect of Lismore (*Cal. of Papal Letters*, vol. i. p. 15).

²⁴⁶ *C.D.I.* vol. i. no. 878. Cf. Ware's *Bishops*.

²⁴⁷ *C.D.I.* vol. i. nos. 948, 991.

²⁴⁸ The first escheator's account of the bishopric of Lismore that has been preserved is for the 7th and 8th Ed. I. It contains receipts from the manor of Lismore, with pasture of wood, salmon fishery, perquisites of hundreds and marts, &c., also from Arthfinan (36th Report Dep. Keeper, p. 60).

²⁴⁹ About this time (1185) Felix, bishop of Lismore, gave to the Abbey of St. Thomas, Dublin, the Church of St. John, *que est in mercato ville de Lismor pro salute domini mei regis Anglie et Iohannis filii sui*. One of the witnesses is Robert de Barri. This gift would hardly have been made if the crown had despoiled the bishop. The famous Christian O'Conarchy, the pope's legate, was bishop of Lismore in Henry II's time.

rounded the church and monastic buildings, as in similar cases elsewhere, and certainly the monastery was not on the mote. The present castle is said to be on the site of the monastery.

1185. ARDFINNAN, on the left bank of the Suir, below Caher.—A castle was erected here by John in 1185. The garrison appears to have twice suffered severely at the hands of Donnell O'Brien.²⁵⁰ The castle is incidentally mentioned in the *Calendar* in the year 1205, and the cantred of Ardfinnan was one of those assigned to Philip of Worcester in 1215.²⁵¹ There was a long dispute between successive bishops of Lismore and of Waterford as to the manor of Ardfinnan, a dispute not settled until the close of the thirteenth century.²⁵² In all this there is no mention of a castle. The present castle is situated on a high cliff overlooking the river valley at a ford. The oldest part of it is a massive round tower, placed at one corner of what seems to have been a quadrangle. The top floor has a fireplace and double lights with trefoil heads. There is no mote here now, but the example of Roscrea shows that a mote may have been cleared away when a castle has undergone the 'Edwardian transformation,' as this one probably did.

WATERFORD.—A castle here is mentioned in John's grant to Thomas FitzAntony in the year 1215.²⁵³ When Strongbow took the town it had walls with at least one tower, *Turris Raghnaidi*,²⁵⁴ believed to be that still existing there and now called 'Reginald's Tower.' If so, it stood at the angle of the wall where it left the river on the east side of the town. It alone held out during the rising of the Ostmen in 1174.²⁵⁵ The Scandinavian walls are described in Smith's *History of Waterford* as forming a small triangle with base along the river and towers at the angles.²⁵⁶ Grants were made to the citizens at various times in the thirteenth century 'to enable them to inclose their city for its defence and that of the neighbouring parts,' but there is no further mention of a castle here.²⁵⁷ It seems probable that the castle mentioned in the grant to Thomas FitzAntony was the *Turris Raghnaidi*, outside of which there were some earthworks. In the later grants only the castle of Dungarvan is specifically mentioned.²⁵⁸

DUNGARVAN.—The castle here, named in the grant to Thomas FitzAnthony in 1215, is again mentioned in the subsequent grants to William de Burgh in 1226, to John FitzThomas in 1259, and to Thomas FitzMaurice in 1291-2. It seems to have been the principal castle of the district. Probably a stone castle was erected by Thomas FitzAnthony,

²⁵⁰ Gir. Cambr. vol. v. p. 386; *Four Masters*, 1185.

²⁵¹ *C.D.I.* vol. i. nos. 289 (Harfinan) and 613.

²⁵² *Ibid.* vol. iii. no. 896 and p. 317.

²⁵³ *Ibid.* vol. i. no. 576.

²⁵⁴ Gir. Cambr. vol. v. p. 255.

²⁵⁵ *Ibid.* p. 813.

²⁵⁶ Pp. 169-72. There was, however, a space between the river and the wall where people were allowed to dwell (*C.D.I.* vol. i. no. 768).

²⁵⁷ *C.D.I.* vol. i. nos. 2183, 2613; vol. iii. no. 917. It is probable that these grants were employed for extending the walls on the western side of the town (see Smith's *History*, p. 170). At the same time Reginald's Tower was probably in large measure rebuilt. The masonry is very similar to that of portions of the later wall.

²⁵⁸ *C.D.I.* vol. i. no. 1462; vol. ii. no. 629; vol. iii. no. 1051.

who was to be 'reimbursed the expense of fortifying castles in any of the king's escheats of which he had the custody.'²⁵⁹ The honour of Dungarvan was afterwards treated as the king's demesne.²⁶⁰ There is a mote here about thirty feet high with a wide fosse, partly filled up, and a modern wall, possibly on old foundations. It is called on the ordnance map 'Gallows Hill,' and is outside the walls of the town. In the inquisition on the lands of Thomas FitzMaurice, who died in 1298, the mote is, I think, referred to as '*le Dengen*, near the vill of Dungarvan.'²⁶¹ There are remains of a castle inside the walls. These are described as 'a massive keep in a quadrilateral area, surmounted with a wall defended by a circular tower at each angle' (Lewis). The rectangular keep has two vaulted floors, and had two alternate ones resting on corbels. The loopholes, two of which are placed at the angles, are chamfered, but otherwise plain. The top story has a double light with ogee heads and projecting corbels on the outside (Mrs. Armitage).

CRUMECH or CRUMETH.—This castle, mentioned in the *Calendar* for 1215, has been taken by Mr. Westropp and others for Croom, co. Limerick. Nothing is left of the castle there but a mural tower and a portion of the curtain. It appears to have undergone 'the Edwardian transformation' (Mrs. Armitage). The identification is however doubtful. The supposed existence of a castle at Croom within our period depends upon an entry in the Fine Rolls for the year 1215, calendared as follows: 'Maurice FitzGerald made a fine with the k. of 60 marks to have the lands of Gerald his father in Ireland, with the castles of Crumech and Dungarvan, in Oglassyn, which belong to Maurice by right of inheritance.'²⁶² There is no further mention of a castle at Croom for many years.²⁶³ O'Glaisin was a tribe name in the barony of Imokilly, co. Cork,²⁶⁴ and 'the chapel of Oglassyn' appears under that barony in the ecclesiastical taxation of 1806.²⁶⁵ Maurice FitzGerald had a manor at Youghal, in that barony,²⁶⁶ and founded a Franciscan friary there.²⁶⁷ I cannot, however, trace the names Crumech and Dungarvan in this district. The latter can hardly be the well-known Dungarvan in the adjoining district of the Decies, for, as we have seen, at this very date it was given to Thomas FitzAnthony.²⁶⁸

CASTLES IN THE COUNTIES OF CORK AND KERRY.

Curiously enough, with the exception of a list of seventeen castles stated in the Dublin copy of the *Annals of Inisfallen* to have been erected in or subsequently to the year 1215,²⁶⁹ there seems to be no mention, within the

²⁵⁹ *C.D.I.* vol. i. no. 576.

²⁶⁰ *Ibid.* nos. 1976, 2569; and see Irish Pipe Roll, 19 Henr. III, 35th Rep. Dep. Keeper, p. 36, &c.

²⁶¹ *C.D.I.* vol. iv. p. 261. There was then 'at Dungarvan a castle in bad repair unroofed, and nearly levelled to the ground.'

²⁶² *Ibid.* vol. i. no. 586; cf. no. 598.

²⁶³ Westropp, *Trans. R.I.A.* vol. xxvi. (c), p. 166.

²⁶⁴ *Topogr. Poems*, p. 102.

²⁶⁵ *C.D.I.* vol. v. p. 312. The name probably survives in the townland of Ballyglassin, in the parish of Killeagh, Imokilly.

²⁶⁶ *Ibid.* vol. i. no. 2182.

²⁶⁷ *Four Masters*, 1224.

²⁶⁸ See above, under 'Dungarvan.'

²⁶⁹ See *Four Masters*, 1115, note y.

period under consideration, of castles in Cork or Kerry. The authority of this list even is not a very safe one, as it has been largely interpolated. Moreover it does not actually state that all these castles were erected within our period, nor have I found any other early mention of any of them. The place names can nearly all be identified, and in general the ruins of a stone castle can be found there, but they are mostly of about sixteenth-century date, and none of them can pretend to the early thirteenth century. The localities, so far as I know, have never been searched with a view to finding the original castle sites. Seven of these castles were in Cork. They were all on the south-west coast and not in the territories granted to FitzStephen and De Cogan. As I have no accurate information about the sites I must pass them over. I give a list of those in Kerry, using the modern names, and adding a few remarks based on a hasty personal inspection. Five of these Kerry castles were situated along the river Mang, for centuries the frontier between Kerry and Desmond.²⁷⁰ In the year 1200 a large grant of lands to the north of the river, and also about Killarney to the south, was made to Meiler FitzHenry.²⁷¹ The lands to the north, or some of them, passed afterwards to the FitzMaurices, lords of Kerry, through, it is said, a marriage with Meiler's daughter. At any rate according to the *Annals of Inisfallen* the castles are stated to have been built by Maurice, son of Thomas FitzGerald, or by Maurice's son. How this squares with the usually received genealogies I shall not stop to inquire.

Taking these castles from east to west, the first is CURRANS (O.S. 48), which I have not visited, but some earthworks are marked on the map. The ruins of a castle at MOLAHIFF (O.S. 48),²⁷² the next in order, are situated on a natural rocky hillock. At about 120 yards to the east, however, at a place with the significant name of 'Shanacourt' (the old court), I found a regular mote and bailey site; the mote, part rock, part artificial, and the fosse and vallum clearly traceable. There are foundations of a rectangular building on the mote and of a stone wall round the bailey. The whole place deserves careful examination. It is a clear mote and bailey site, such as has not been hitherto noticed in Kerry. The old church, with round-headed narrow slit for east window, is about a hundred yards away to the S.E. CLONMELLANE Castle (O.S. 47), a little more to the west, appears to have been built on a mote site. Most of the mote has been cleared away to get to a proper foundation, but much of it remains piled against the north and west sides of the castle. At CASTLEMAINE (O.S. 47) the sixteenth-century castle was built on the bridge over the river, and is so depicted in *Pacata Hibernia*,²⁷³ but obviously this was not the original site. CALANAFERSY (O.S. 56) I have not seen, but a mote is indicated on the map close to the modern house. The castle ruins at KILLORGLIN (O.S. 56) are built on a rock near a ford on the river Laune.

²⁷⁰ The river Mang appears to have been the boundary between Kerry and Desmond prior to the time of James I (Hogan's *Description of Ireland in 1598*, p. 187).

²⁷¹ C.D.I. vol. i. no. 124.

²⁷² The Castle of *Magh Laithimh* belonged to a MacCarthy in 1581 and 1589. See *Four Masters*, sub annis.

²⁷³ Facing p. 172, reprint 1810. For the history of this castle see *Kerry Magazine*, 1854, p. 116.

It clearly belonged to this group; as also, perhaps, did DUNLOE (O.S. 65), much higher up the river, watching the famous gap. A castle here was demolished by the earl of Ormond in 1570 (*Four Masters*). Then there were two castles built by 'Carew' on the north side of the Kenmare River, and one on the Roughty, which flows into it. Of these CAPPANACUSHY (O.S. 52), a late castle, is built on a rock. In an adjoining field called 'the Castle Field' is a square elevated platform surrounded by traces of a fosse. DUNKERRON (O.S. 52) appears from the map to be built on a mound. At ARDTULLY (O.S. 94) the ordnance map marks the site of a square court with towers at the corners where there is now a levelled platform under and in front of the modern house. That this is a very incomplete survey of these Kerry castles I am well aware, but it is enough to show that the mote type of castle was not unknown here. The motes have not been noticed simply because they have not been looked for, and it is surprising how blind even antiquaries can be to antiquities under their noses if they do not happen to be looking for them. I should say however that Miss Hickson has noticed that the old Castle of Lixnaw, the chief seat of the FitzMaurices, stood 'on a little hillock partly artificial.'²⁷⁴

DUBLIN CASTLE.

I treat this castle by itself, as it is not certain whether it fits into any of my groups. Dublin had walls (*muri*) and gates at the time of its capture, and it may have had towers on the walls, such as the *Turris Ragnaldi* at Waterford and the *propugnacula* at Wexford;²⁷⁵ but there is no reason to think that there was anything in the nature of a castle in the Danish town. Their earlier *dun* had been superseded by a walled town, which must have occupied the same site as the early Norman town. If we can trust the *Song of Dermot* however, Dublin had a *chastel* and *dongun* when Henry II left it. The dongun would naturally be a wooden keep on the top of a mound, and it may have been erected in the interval between 21 September 1170 and Henry's departure on 1 March 1172. This supposition derives some support from an entry in the *Calendar* under the year 1200, which states that William le Brun was murdered 'when standing on the bridge of the castle of Dublin, and fell into the castle dyke.'²⁷⁶ At least we may be pretty sure that there was then no stone castle, for the next reference we have in the records to a castle in Dublin is John's mandate of 1204 to Meiler Fitz Henry to build one.²⁷⁷ This mandate is to the following effect: 'You have informed us that you have no fit place for the custody of our treasure, and that for this and other purposes we need fortalices in

²⁷⁴ *Journ. R.S.A.I.* 1879-82, p. 360.

²⁷⁵ For Wexford see Gir. Cambr. p. 232. The town had *muri*, *fossata*, and *propugnacula*, which I suppose, whether of wood or stone, were on the walls. The phrase *viris armatis fossata replentibus* has been wrongly translated 'lining the trenches with men in armour.' It means that FitzStephen sent men in armour to fill up the ditch (in places) preparatory to an escalade.

²⁷⁶ *C.D.I.* vol. i. no. 116.

²⁷⁷ Close Roll, 6 John, m. 18, printed in Gilbert's *Historical and Municipal Documents of Ireland*, p. 61.

Dublin. We command you to construct a strong castle there with good ditches and strong walls in a suitable place for the governance and, if need be, the defence of the town ; but first you are to construct a tower (*turris*) on a site where afterwards a more suitable castle and bailey (*castellum et baluum*) and other necessary works may be constructed.' I do not think the unavoidable inference is that there was no castle in Dublin at the time. Apart from the phrase in the *Song of Dermot* it is hard to believe that, when castles were being erected wherever the Normans settled, none was built in Dublin. But obviously a wooden bretesche would not be a safe place for keeping the royal treasure. Hence this mandate. *Turris* is the regular word for keep, and, as the sum of 300 marks (perhaps the equivalent of 4,000*l.* to-day) was to be expended at once, the keep was probably to be of stone. This keep may have been built by Meiler, but we have no proof.²⁷⁸ In 1213 however the custody of the king's castle of Dublin was delivered to Henry de Londres, the archbishop,²⁷⁹ who had been appointed justiciary in the previous June. On the whole it seems likely that the first stone castle in Dublin was commenced by John de Gray, the archbishop's predecessor, who built the first stone castle at Athlone and promoted at least the building of several other castles. Archbishop Henry probably went on with the works. In 1217 compensation was paid to the archbishop, to the prior of Christ Church, and to others for damage to churches and property in fortifying the castle ;²⁸⁰ and as late as 1228 we find entries in the earliest Irish Pipe Roll that has been preserved of payments to carpenters for making the towers of Dublin Castle, also payments for lead to make gutters for the towers and to the masons and other workmen making the towers.²⁸¹ I presume that no mote can now be traced in Dublin Castle, or even the original plan made out. The castle has clearly been transformed more than once. In Speed's map (1610) it appears as a large quadrangle, divided into three courts, with towers at the four corners and a gateway in the middle of the north side, but with no keep. The present upper castle-yard represents this quadrangle, but only the south-eastern tower remains, and only the lower portion of it shows the original masonry. The whole site seems to be largely artificial, and the town outside the castle to the north was built over a bog.²⁸²

I cannot however leave Dublin Castle and close my list without noticing a 'bold claim' made by Mrs. Armitage that the mound, known to have existed down to about 1685, almost immediately north of the site of the modern Church of St. Andrew, was really 'a motte,' raised to protect the palace erected for Henry II on the occasion of his visit to Dublin. This palace, she suggests, was a wooden hall placed in the bailey of the mote castle.²⁸³ Now since the publication of Halliday's *Scandinavian Kingdom of Dublin* this mound has usually been regarded

²⁷⁸ On 2 March 1205 a writ was issued to distrain the lands of Geoffrey FitzRobert for the debt of the 300 marks which was to be expended on the castle (*C.D.I.* vol. i. no. 227).

²⁷⁹ *Ibid.* no. 492.

²⁸⁰ *Ibid.* nos. 805, 848, 1353.

²⁸¹ Irish Pipe Roll, 13 Henry III ; 35*th Rep. Dep. Keeper*, p. 30.

²⁸² Halliday, *Scandinavian Dublin*, p. 208.

²⁸³ For the full statement of her case I must refer my readers to the *Antiquary*.

as a Scandinavian thingmote. It is true that no document clearly calling it such has been found, but there was a district called *Thengmotha in parochia Sancti Andree de Thengmothe*,²⁸⁴ and this mound was within the parish. It is also true that the word 'Thengmotha' does not imply a mound. Halliday, indeed, often uses the word 'thingmote' as its equivalent, but this, to say the least, is a misleading form. If we are to treat the word 'Thengmotha' as Scandinavian the latter part of it can have no connexion with the French *motte*. It has been suggested to me that it is now represented by the Danish *møde*, 'a meeting,' a word akin to the Saxon *mōt*, 'moot.' At the same time it is true that an artificial mound is frequently to be found at well-known Scandinavian meeting-places, as at the Thingvöllr in Iceland and the Tingwall in the Isle of Man, and such a mound appears to have been known in Sweden as a 'Tingshoge' and in England as a 'Thinghoge' or 'Thinghow.' Moreover that there was a mound called 'La Hogges' somewhere in the neighbourhood of the attested mound at the time of the arrival of the Normans appears from the amusing passage in the *Song of Dermot* which describes how Gillamocholmog placed himself *desur la Hogges desus Stein*, outside the city, to watch the fortunes of the battle between Northmen and Normans, before deciding which side to take.²⁸⁵ The Stein or Staine, so called from a great monolith erected there, was a flat piece of ground extending southwards from the strand of the Liffey to the lands of Bagot Rath at one point and eastwards from near the city walls to the river Dodder.²⁸⁶ The name *La Hogges* is clearly an Old French form of the Icelandic *Haugr* (or some kindred form), a word we are more familiar with as *La Hogue*,²⁸⁷ *Hoga*, *Howe*. This alone, it seems to me, would raise a presumption that *La Hogges* was a thinghoge connected with the thingmoot or Norse meeting-place. At any rate a large number of facts point to the identity of 'La Hogges' with the mound removed in 1685 and used to raise the present Nassau Street, as described by Halliday.

On a portion of the Stein where Trinity College and its ground are now situated the priory of All Hallows stood before 1170, and in Anglo-Norman times and for many centuries an open space in front of All Hallows and the subsequent Trinity College was known as Hoggen Green.²⁸⁸ The Church of St. Mary del Hogges, called in Latin documents *Sancta Maria iuxta Hogas*, which evidently got its name from *La Hogges*, stood in pre-Norman times and afterwards somewhere on this open space, and probably not far from the mound. A gate known as *Hogges Gate*—I suppose that shown on Speed's map—stood at the east end of Dame Street, close to the mound.²⁸⁹ A street on the rising ground leading up from Dame Street at the west side of the mound was known down

²⁸⁴ *Reg. All Hallows, Dublin* (Irish Archæol. Soc.), p. 26. This deed must be referred to the year 1258.

²⁸⁵ Ll. 2281-2430.

²⁸⁶ Halliday, *ubi supra*, p. 144.

²⁸⁷ *La Hogges* or *Le Hogges* is certainly in the singular number, and does not imply, as is often assumed, more than one mound. Even as late as 1423 *La Hogue* in Normandy is called in an Anglo-French document '*Le Hogges*' (Halliday, *ubi supra*, p. 196, note).

²⁸⁸ Gilbert's *History of Dublin*, vol. iii. pp. 1-7.

²⁸⁹ *Ibid.* vol. ii. p. 257.

to 1772 as Hog Hill,²⁹⁰ and in 1575 a road leading to Hoggen Green and bounding the property granted to All Hallows in 1258 was called, corruptly, no doubt, 'Teigmote.'²⁹¹

These facts, shortly summarised, seem to me to point to a mound, identical with the pre-Norman La Hogges and the assumed Thinghoge, just about where the recorded mound stood down to 1685, and it would certainly require strong positive evidence to show that it was erected later for another purpose. But Mrs. Armitage fails to produce such evidence. Her chief arguments seem to be (1) that Henry would require a mote for the protection of his 'palace'; but this argument, admitted for what it is worth, might be met by supposing the pre-existing mound to have been utilised as a mote: (2) that there was no castle at Dublin before Henry's visit, but there was one immediately afterwards, as he left the *chastel e le dongun* in charge of Hugh de Lacy; but surely, if we are to treat this phrase, as perhaps we should, as indicating a mote, we should expect the fortress to be inside, or at least adjoining, the walls of the town. Perhaps Mrs. Armitage was not aware that a new site was chosen for St. Andrew's Church when it was rebuilt about 1670. The old church, near which Henry's palace was erected, was at the south-east side of Damas Gate, near the walls;²⁹² but the attested mound stood near the site of the present church (itself replacing 'the Round Church,' built in 1670), near the east end of Dame Street.²⁹³ St. Andrew's, in fact, has moved about 40 perches nearer the mound than it used to be. Furthermore Mrs. Armitage misapprehends the application of the passage in Giraldus to which she refers as proving that there was no 'castle' in Dublin. The *municipium immunitissimum*, &c., refers not to Dublin, but to FitzStephen's fort at Carrick, where Maurice FitzGerald had left his wife and children.²⁹⁴ I think all the evidence points to the Dublin mound having been a Danish thinghoge, called by the Normans La Hogges—the place where Gillamocholmog 'sat on the fence' while watching the struggle to the death between Norman and Northman; 'the fortified hill near the college,' seized by the parliamentary mutineers in 1647; the mount which for centuries the citizens used to climb to enjoy 'the common prospect'—and its demolition to raise Nassau Street was a most regrettable piece of vandalism.

If I have felt compelled in the interests of historic verity to support Mrs. Armitage in her wide-spread raid against Irish motes I must at least

²⁹⁰ Gilbert's *History of Dublin*, vol. iii. p. 319, the continuation of Trinity Street.

²⁹¹ Halliday, *ubi supra*, p. 162. Whether this was the same road as the *vicus de Tengmouth extra portam Beatae Mariae del Dam*, quoted by Gilbert (*History of Dublin*, vol. ii. p. 263) from a 'fourteenth-century document,' I cannot be sure.

²⁹² *Ibid.* p. 258, and see Speed's map. If Henry's palace was really quite close to Old St. Andrew's Church it must have been near the walls, and may have been just under the site of the subsequent castle.

²⁹³ Halliday's *Scandinavian Dublin*, p. 162. It might, indeed, be argued that the Thinghoge and La Hogges were not identical; that the former perhaps stood close to the old Church of St. Andrew, and the latter, as we know, close to the later church, and that after all the Thinghoge may have been fortified for Henry's palace. But this would be to base a supposition on a supposition, and without positive evidence of the separate existence of the Thinghoge it is hardly worth putting forward.

²⁹⁴ Gir. Cambr. vol. v. p. 266.

claim credit from my countrymen for striving to rescue this mound (or rather its memory) from her clutches. My countrymen are very jealous of Sassenach claims even in the case of antiquities. But we are rich in the remains of the past. I only wish we were more careful to preserve them.

The foregoing list contains the names of 85 castles, erected prior to 1216, the sites of which can with more or less certainty be approximately fixed.²⁹⁵ Of these sites no fewer than 66 include earthen mottes in immediate connexion with, or in the near neighbourhood of, the later stone castles, where such exist or are known to have existed, while six are represented by stone castles on rock sites, where an isolated rock formed a ready-made substitute for an earthen mote.²⁹⁶ Of the remainder in five cases the evidence as to the former existence of a mote is not conclusive,²⁹⁷ and in only eight cases can it be affirmed that there is at present no evidence of there ever having been a mote. These eight cases are Kells, Derrypatrick, and Ferns, where the records point merely to castles destroyed before, or immediately after, completion, and apparently not having any immediate successors; Carrickfergus, a keep and bailey castle on a rocky promontory; Carlingford, an Edwardian castle, also on a promontory, giving no indication of its predecessor; Ardfinnan and Kiltinan, where the remains of the stone castles stand on high rocky ground above a river, and are of the nature of inland promontory castles; and Waterford, where the castle referred to was probably the Scandinavian *turris Ragnaldi*.

In this list it is possible that in some few cases from incorrect information or faulty judgment I may have set down as a mote what may be shown not to be a true mote. Motes should of course be distinguished from sepulchral mounds, and in the absence of excavation the distinction is not always easy. Motes have normally flat tops, and sepulchral mounds are generally more or less rounded; but this is not an unfailing criterion. The mere presence or absence of fortification is not necessarily decisive of the original purpose. A real mote, the fortifications of which have not survived the chances and changes of centuries, may easily be mistaken for a sepulchral tumulus, while even the latter may have had from the first a trench around it. Moreover ancient Celtic mounds, erected for a sepulchral purpose, may in some cases have been refashioned and utilised by the Normans as motes, though I doubt if this was often done, as all nations would

²⁹⁵ I omit the Kerry castles as too incompletely surveyed, and the castles mentioned by Giraldus at Collacht, Obowi, and Norrach as too doubtfully identified.

²⁹⁶ The rock mottes are Dunamase, Wicklow, Carrickkittle, Castleconnell, Carrigounnell, and Askeaton.

²⁹⁷ I have marked as doubtful Rathkenny, Castledermot, Ardglass, Caherconlish, and Dublin, though I incline to think there was a mote in each case.

be restrained by superstitious terrors from knowingly putting sepulchres to such a use. In this case however a mistake as to the original purpose of the mound is of the less importance as we are not inquiring when and by whom mounds, as such, were raised in Ireland, but when and by whom fortresses of a special type were first used or introduced there. Nevertheless archæological evidence of pagan interments (which I do not propose to examine here) has indeed been brought forward in the case of three or four mottes, with a view to proving that the mote and bailey type of fortress existed in Ireland from the bronze age; but such evidence, even if established, would, it seems to me, at most prove that somebody had chosen or chanced on a sepulchral site for erecting a fortress, without affording any clue as to when or by whom this was done.

Apart however from sepulchral mounds there was another kind of artificial mound in use in Ireland from early times, which must be distinguished from a mote in the sense of a residential fortress. At the inauguration places of Irish kings—and they were very numerous—an artificial mound of earth or stones, bearing sometimes a superficial resemblance to a mote, is, I think, generally to be seen. The mound at Magh Adhair, for instance, the place where the O'Briens of Thomond were inaugurated, is shaped somewhat like a mote, and is actually claimed by Mr. Westropp as an example of a mote where there was no early Norman settlement.²⁹⁸ But one has only to look at Mr. Westropp's sketch and description of this mound to see that it never could have been a fortress. It stands in a hollow entirely surrounded by an amphitheatre of hills and crags close at hand, which, while admirably suited for a great ceremony to be witnessed by thousands, would be the worst possible site to choose for an ordinary fortress. There is a standing stone and a smaller mound, probably sepulchral, in its immediate neighbourhood.²⁹⁹ An exact parallel of a mote-like mound, pillar stone, and tumulus is to be seen at Carnfree, where the O'Conors of Connaught were 'created.' Other parallels are the Rath na Righ, or Rath of the Kings, at Tara, within which is a low flat-topped mound called the Foradh, and a pillar stone, which however can hardly be, as used to be supposed, the Lia Fail, the stone that roared beneath the feet of the rightful monarch, though this too was formerly there; the fort at Tullaghog, near Dungannon, where stood the chair of the O'Neills; and probably the mound within the great rath at Emain Macha (Navan fort near Armagh). A list of these inauguration places is given by Keating, but they have not all been identified, and the list is very incomplete.³⁰⁰ Obviously

²⁹⁸ *Journ. R.S.A.I.* 1904, p. 335. ²⁹⁹ *Ibid.* 1890-1, p. 463, note and illustrations.

³⁰⁰ Keating's list may conveniently be consulted in O'Donovan's *Hy Fiachra*, pp. 431-4. See too an interesting paper by Herbert F. Hore, *Ulster Journal of*

it is necessary to be on one's guard against supposing any of these mounds to be motes. Nothing but confusion can result from classing them together.

Making due allowance for possible error, however, the result of this examination seems to me conclusive as to the normal type of these early castles. Except in a few cases, mostly in the west, where a rock was found forming a suitable substitute for an earthen mote—and these are no real exceptions to the type—an artificial mound or mote was almost always an essential feature. This mound carried a tower, at first probably always of wood, and was palisaded round on the top. The other earthworks varied according to the nature of the ground and the predilections of the builder, and in some cases probably, where pre-existing earthworks were utilised, according to the nature of such earthworks. Where a castle was complete there was probably always a ditch round the mound, and in general, at the foot of the mound, a small inclosed base-court or bailey, of varying shape, surrounded by a ditch, which usually joined the proper ditch of the mound at two points. The ditch of the bailey generally had a bank on the scarp, which no doubt carried a strong palisade, and often a bank on the counterscarp as well.

One special feature sometimes occurring may be noted, as it, together with the type generally, was often reproduced in stone castles. In some cases, as, for instance, at Ardmayle, Timahoe, Nobber, and Clonmacnois, we find the earthen walls of the bailey carried up to the summit of the mote. These doubtless bore strong palisades, which would join the palisade round the summit. They would serve to cover the communication between the tower and the bailey, and would check an enemy who had reached the slope of the mote outside from gaining access to the bailey. In some cases, as at Donaghpatrick, Rathwire, and Hollywood, only one wall is now to be seen so carried up. Similarly the curtain walls of the base-courts of some English castles were carried up the mote to the base of the keep, as at Tunbridge, Tamworth, and Tickhill, while at Hawarden they abut against the circular keep at a height of 12 or 14 feet. At Berkhamsted only one wall is now to be seen above ground running up the mound. It is 12 feet thick and was probably parapeted on both sides.³⁰¹

These mote-castles in Ireland, like their congeners in England, were often placed on the high bank above a river or at the junction of a stream with a river. Apart from the convenience of having water at hand such positions are often strong by nature on at

Archæology (Old Series), vol. v. p. 216. For Carnfree see description by Sir William Wilde, *Journ. R.S.A.I.* 1870-1, pp. 249-50.

³⁰¹ See the description of these castles in G. T. Clark's *Medieval Military Architecture in England*. I am informed however by Mr. Duncan Montgomerie that there are traces of a kind of forebuilding at Berkhamsted and a second wing wall half the thickness of the other.

least two sides. Sometimes the end of an esker or gravel ridge was chosen, being easy to work and having the advantage of naturally steep slopes on two or more sides. Sometimes, on the other hand, a low position was selected, perhaps defended by swamps, or perhaps affording opportunity of flooding the ditches with water. Very generally a church is to be found close at hand, founded or re-founded and endowed by the owner of the castle, who thus could stand, like Hubert de Rie,

a sa porte

Entre le mostier e sa mote.

But, further, this examination of early castle sites and the records concerning them, taken in connexion with what is known of the distribution of motes in Ireland and the practice of the Normans elsewhere, seems to render it almost imperative to hold that Irish motes generally owe their *erection* to the castle-building of early Norman invaders. This theory was first, so far as I know, tentatively suggested with regard to Ireland by Mr. Round, with special reference to the motes of Slane and Trim, the erection of which is mentioned in the *Song of Dermot*, and has since been ably supported and extended, both as regards England and Ireland, by Mrs. Armitage. I can only claim to have tested a little more fully the application of the theory to Ireland. I have noted above some of the objections to the rival hypothesis that these motes were pre-existing Irish castles—dating either from the legendary period or from the couple of centuries immediately preceding the coming of the Normans—and that they were appropriated and merely strengthened by the invaders. I think it very probable, however, that, to save labour, the Normans sometimes placed a mote in the centre of an existing rath, and that this may explain the somewhat abnormal type met with occasionally of a mote with an annular bailey, and perhaps of a mote with three rings. More frequently the mote may have been piled up against or on the top of a portion of the rampart of a Celtic rath, an expedient which would leave the bailey in a somewhat crescent form. This may have been what happened at the castles of Killallon and Killeagh, where souterrains were found, apparently low down on the outer side of the mote, but perhaps really in the ring of the pre-existing rath. In considering whether a Celtic site was utilised by the Normans we should, I think, bear these possibilities in mind. It is hard to prove a negative, and in the present state of the evidence it may be too much to say that the Irish never erected a mound as an essential part of a fortress, but I certainly think that in the case of any high fortified mound with an inclosure attached of the type above indicated the *onus* of proving that it was of Celtic construction rests on those who make the assertion.

GODDARD H. ORPEN.

Н Н 2

The Vice-Admirals of the Coast

THE office of vice-admiral of a county no longer exists except as a titular dignity, but for some centuries these land admirals were charged with important duties connected with the defence of the kingdom, the royal navy, the revenues of the crown, wreck, salvage, piracy, and other maritime business requiring the attention of a local official. Deriving their authority from the lord high admiral,¹ they discharged around the coast some of the functions which, owing to difficulties of communication and urgency, neither he nor the officers of his court in London could attend to in person.

The office of admiral is scarcely older than the beginning of the fourteenth century. It occurs first in 1295 in connexion with the king's Bayonne fleet, and in the following year William de Leyburn and John de Botetort are called 'admirals of our navy of England.' In 1300 Gervase Alard is styled admiral of the king's fleet of the Cinque Ports. Soon after this begins a long series of admirals of the north, south, and west, which continues through the fourteenth and part of the fifteenth century. These local admirals were primarily fleet commanders, but they also discharged some of the duties ashore which afterwards fell to the vice-admirals of counties. The history of these latter officers is closely connected with that of the lord high admiral and the high court of admiralty; the origin of the jurisdiction called the admiralty appears to be as follows:—

The common law provided no satisfactory tribunal for the trial of piracy and offences committed upon the sea. Jurors, from whatever locality they might be drawn, were seldom witnesses of the crime, and if, as would sometimes happen, they were neighbours of the offender they would be more likely to sympathise with than to convict him. In the thirteenth century, when cases of piracy first appear in judicial records, the law as to prize, piracy, and war was vague, and the issue of letters of reprisal tended to lawlessness. International troubles arising out of this state of things led to

¹ In modern times, and generally since the admiralty of the duke of York in the seventeenth century, vice-admirals have been appointed by the crown.

the transfer, during the reign of Edward III, of the trial of prize and piracy, and eventually of all offences at sea, from the ordinary courts of the kingdom first to the council and afterwards to the court of the admiral. There are a few early instances of presentments by a jury in the admiral's court, but they are rare, and the common law soon gave place to what was called the civil, maritime, or mercantile law. The first clear indication of this change occurs in 1361, when a commission which had issued to Sir Robert Herle² and others to try a case of piracy *secundum legem et consuetudinem regni nostri*³ was recalled⁴ upon the ground that offences at sea were triable not by the common law, but before the admiral by the law maritime. During this and the following century the ordinary tribunal for 'piracy' cases was the council, and a similar decision as to the law applicable to such cases seems to have been arrived at by the council in 1346.⁵ Many of these 'piracy' cases were of a civil or prize rather than a criminal character; restitution of his ship and cargo was the plaintiff's object, and not punishment of the 'pirate.' A statute of Henry VIII speaks of the trial of pirates by the admiral, but it is doubtful whether any pirate was ever executed under a sentence of the admiral's court; no record of such an event has been found, and the first execution of a pirate known to the present writer took place under the new tribunal created by Henry VIII.⁶

Judicial proceedings before an admiral are mentioned in 1353⁷ and again in 1357.⁸ In both cases the matter was prize, and the tribunal was the council, the local or fleet admiral being present. The high court of admiralty did not as yet exist, nor was there any lord high admiral. During the latter half of the fourteenth century the admirals of the north, south, or west seem to have gradually established local admiralty courts, in which not only piracy and prize but all sorts of maritime and shipping business were transacted. In some of these distant courts great irregularities occurred, and injustice was done by carrying interminable appeals upon technical points of law and practice to the council in London. It was probably for this reason that a lord high admiral and a high court, having its sittings in London, were instituted early in the fifteenth century. The judge of this court was styled lieutenant or commissary of the lord admiral. During the fifteenth century the records supply few references to the high court of admiralty; such as there are indicate that its business was of a trifling character. But there is evidence that from the first the new tribunal encountered strenuous opposition, and it was not until

² The first admiral of all the fleets.

⁴ Cl. 35 Ed. III, m. 28 d.

⁶ Below, p. 475.

⁸ Rot. Fr. 31 Ed. III, m. 11.

³ Pat. 35 Ed. III, pt. 1, m. 9 d.

⁵ Cl. 16 Ed. III, pt. 2, m. 4.

⁷ Cl. 26 Ed. III, m. 22.

Henry VIII came to the throne that its jurisdiction was placed upon a firm basis. In its character of a prize court it stood outside the common law, and in matters which touched the common law, such as wreck and commercial cases, it exercised an anomalous and doubtful jurisdiction, which, in so far as it touched the pockets of those who came within reach of its arm, was strongly resented.

In 1364 an admiral was trying a case as to an alleged obstruction of a navigable creek near Colchester ;⁹ and in the same year Hugh Fastolf, styled *sub-admirallus maris*, held an inquest upon Stephen Gerrard, who was killed at sea or upon the coast of Suffolk.¹⁰ In both these cases objection seems to have been taken to the jurisdiction, and there are other indications that about this time the admiral's court was a novelty and that his jurisdiction was questioned. The appointment of Fastolf by William Nevill, admiral of the north, as his sub-admiral is referred to in a document of 1391.¹¹ He and John Buce are there styled lieutenants of the admiral, and are empowered to act jointly or severally in all matters touching the admiralty of the north. In this appointment we see the link between the local admirals and the subsequent vice-admirals of counties.

While the admiral and his court are coming into prominence, there disappears from the records an official called keeper (*custos*) of the coast, who for more than a century had discharged some of the duties afterwards falling to the admiral. The custody of the south-eastern coasts, from the Thames to Beachy Head, was doubtless committed to the warden (*custos*) and barons of the Cinque Ports from very early times, and the appointment of keepers elsewhere was perhaps a partial extension of the Cinque Ports system. In 1224¹² Richard Aguillum was appointed keeper of Norfolk and Suffolk, Geoffrey de Lucy of the western coasts from Pevensey to Bristol, and John of Bayeux of Devon and Cornwall. In 1227¹³ Hugh Ruffus and in 1228¹⁴ Herbert de Alencun were made keepers of the coasts of Norfolk and Suffolk; in 1229 and 1280¹⁵ keepers were again appointed for Essex, Suffolk, and Norfolk. In 1264¹⁶ Thomas de Moleton is called *capitaneus et custos maris et partium maritimarum*; and later in the century (1295–1287)¹⁷ keepers were appointed for several counties. In 1316¹⁸ Robert de Kendale kept the coast from the Thames to Bristol, John de Botetourte from the Thames to

⁹ Cor. Reg. 38 Ed. III, Mich. p. 48, Rex.

¹⁰ Cor. Reg. 38 Ed. III, Mich. p. 38.

¹¹ Rot. Orig. 48 Ed. III, p. 28.

¹² Pat. 8 Hen. III, mm. 3, 9.

¹³ Pat. 11 Hen. III, m. 5.

¹⁴ Pat. 12 Hen. III, m. 5.

¹⁵ Pat. 13 Hen. III, m. 9; 14 Hen. III, m. 2 d.

¹⁶ Pat. 48 Hen. III, pt. 1, m. 3.

¹⁷ Pat. 23 Ed. I, mm. 1, 2; 24 Ed. I, m. 23; 25 Ed. I, pt. 1, m. 9; pt. 2, m. 14.

¹⁸ 'Per totam Angliam,' Cotton, *Hist. Angl.*, Rolls Series, p. 308.

¹⁹ Pat. 10 Ed. II, pt. 1, mm. 25, 34.

Berwick, and William de Wanton from the Thames to Ipswich. In 1351¹⁹ Robert Ufford and three others were keepers of the ports and all the maritime land of Norfolk. After this date admirals of the north, south, and west appear for some time to have acted as keepers of the coast, and that title fell out of use.

In the next century, soon after the creation of a lord high admiral, we find him appointing a lieutenant or commissary to act for him, sometimes generally, sometimes in specified counties or districts. In 1443²⁰ John, duke of Exeter, the lord admiral, appointed Henry Harrington to be his lieutenant or commissary in Norfolk, Suffolk, and Essex. The judge of the high court of admiralty was then and for long afterwards called lieutenant and commissary of the lord admiral, and this probably was Harrington's office. An earlier mention²¹ of Sir Henry Inglose as lieutenant of the lord admiral for the coasts from the Thames to Berwick may refer to a similar appointment of Inglose, but he would seem to have been something more than a judge. In 1461²² Edward IV granted to Robert Radelyf the office of admiral of Norfolk and Suffolk and the coasts thereof, with the accustomed fees and profits appertaining thereto. This grant by the king of admiralty rights in the two counties specified may have suggested the creation by the lord admiral of the vice-admirals of counties of the next century with similar rights.

The inefficiency of the lord admiral's jurisdiction in matters of piracy is indicated by the passing of a statute in 1414²³ enabling him to appoint in seaport towns officers called conservators of truces. Their duties were mainly in connexion with prize, piracy, and the preservation of peace at sea. Little is known of their proceedings; they do not appear to have been a success, and in 1485²⁴ the act of Henry V was suspended; in 1442²⁵ it was repealed, and in 1450²⁶ again brought into force, with certain alterations.

In 1484²⁷ Sir John Wade, Sir Robert Brackenbury, William Lacy, William Dawbney, and Robert Rydon were appointed commissaries-general of the admiralty of England, with power to try cases civil and criminal; and Wade, Brackenbury, and Sir John Norbury were appointed vice-admirals. No other appointment of this character has been found, and it does not appear to be historically connected with the office of vice-admiral of a county. It indicates

¹⁹ Cl. 25 Ed. III, m. 23.

²⁰ Add. MS. 30222, f. 18 d.

²¹ Pat. 7 Hen. IV, pt. 1, m. 26.

²² Pat. 1 Ed. IV, pt. 2, m. 24. In 1465 the abbot of Ramsey was claiming wreck against the lord admiral and interfering with his courts. Hale's MSS., Linc. Inn, no. lxxvii, 6.

²³ 2 Hen. V, st. 1, c. 6.

²⁴ 14 Hen. VI, c. 8.

²⁵ 20 Hen. VI, c. 11.

²⁶ 29 Hen. VI, c. 2.

²⁷ Pat. 1 Rich. III, pt. 2, m. 2.

that the high court of admiralty was not as yet an efficient tribunal, for the 'commissaries-general' must have been intended to discharge some of the functions of the judge of that court. No record of their proceedings exists.

The Cinque Ports were never subjected to the lord admiral's jurisdiction, and in several statutes dealing with the admiralty express provision is made that their liberties shall not be interfered with. Following their example other seaport towns early in the fifteenth century began to obtain charters granting them admiralty rights and expressly excluding the jurisdiction of the lord admiral. Bristol is said to have obtained such a charter in 1403, but the true date is 1446.²⁸ Among other towns which were exempted or claimed to be exempt from the lord admiral's arm were Boston, Colchester, Dartmouth, Dunwich, Grimsby, Harwich, Hull, Ipswich, Lyme, Lynn, Newcastle, Poole, Southampton, Southwold, Tynemouth, Weymouth, and Yarmouth. The example of the towns was followed by a few landowners. Thus in 1465²⁹ there was a grant to the bishops of Bath and Wells of right of wreck in the hundred of Wynterstoke, with power to hear and determine all matters arising therein which were triable in the admiral's court; and the admiral was forbidden to exercise his jurisdiction within or to enter the hundred. A few similar grants of later date are to be found. In 1475³⁰ Anne, countess of Pembroke, nominated commissioners to try a case of spoil (piracy) by a ship of Brittany upon a ship of Pembroke. The countess is described as warden (*custos*) of the county of Pembroke during the minority of her son William by her late husband, who is described as admiral of the county by grant from the king. This is the earliest mention that has been found of an admiral of a county. The king's grant has not been found, but it would seem that the lord admiral's jurisdiction over Pembroke was either expressly or by implication excluded. In 1498³¹ a case was tried at Minehead, apparently before the steward of the manor court, touching the hire of a fishing boat and payment of her ransom after she had been captured by Scots. The parties to the suit were tenants of Sir Hugh Luttrell and Sir Charles Somerset, and the former is styled lord of the manor and admiral of the port of Minehead. The proceedings appear to have been taken in the manor court of Minehead, and probably the admiralty jurisdiction (which seems to have been uncontested) was founded upon a grant similar to that of 1465. In 1532³² Henry VIII granted to his

²⁸ Pat. 26 Hen. VI, pt. 2, m. 23.

²⁹ Pat. 4 Ed. IV, pt. 2, m. 14.

³⁰ Chapter House Dipl. Doc. no. 1697.

³¹ *Somerset Archaeol. and Nat. Hist. Soc.* vol. xxxv. p. 46; *Anc. Corresp.* vol. lii. no. 42.

³² Pat. 32 Hen. VIII, pt. 6, mm. 20/19, 22/17.

queen Katherine Howard for her life certain lands and manors, with power to appoint an admiral for the same; and the grant excluded the lord admiral from exercising his jurisdiction therein. In 1544³³ there is a like grant to Katherine Parr. In 1585³⁴ Elizabeth granted Corfe Castle and the Isle of Purbeck to Sir Christopher Hatton in similar terms. In 1599³⁵ Edward Ameridith succeeded in a claim to admiralty jurisdiction in the hundred of Coleridge, in Devonshire, which had been questioned by *quo warranto*. In 1606³⁶ the lord admiral granted to the earl of Suffolk, for his life, power to hold admiralty courts in certain manors in Essex, and to appoint his own vice-admiral and commissary for that purpose. In 1611³⁷ James I granted to Thomas, Lord Arundell of Wardour, that his hundred, manor, and borough of Christchurch and Westover should be exempt from the lord admiral's jurisdiction, and that he should have admiralty jurisdiction therein. These exemptions from the lord admiral's jurisdiction—of the Cinque Ports, of many seaports, and of some seaboard manors of landowners³⁸ who had been astute and influential enough to move in time—were the cause in after years of much litigation. The fact that the dispute was usually about wreck shows the object for which it was desired to exclude the crown and the lord admiral.

Until the sixteenth century, with the possible exceptions mentioned above, there is no mention of a vice-admiral of a county. The navy, Trinity House, and the admiralty owe much to Henry VIII, and the creation of vice-admirals is contemporaneous with a revival or enhancement by him of the lord high admiral's office and court. In 1525 Henry Fitzroy, duke of Richmond and Somerset, a natural son of the king and then a child of six, was created lord high admiral, the duties of the office being discharged by Arthur Plantagenet, Viscount Lisle, and Thomas, duke of Norfolk, who were called his vice-admirals.³⁹ In the same year fourteen commissaries⁴⁰ of counties are first mentioned, and in 1536⁴¹ one of them, William Gonson, was appointed by the lord admiral, Sir William Fitzwilliam, to be vice-admiral of Norfolk and Suffolk. In the same year he was holding admiralty courts⁴² at Lynn, elsewhere as vice-admiral and commissary. This is the first mention of the office in the form in which it existed for three centuries.

³³ Pat. 35 Hen. VIII, pt. 17, mm. 35/6.

³⁴ Pat. 27 Eliz. pt. 2, m. 18.

³⁵ Lansd. MS. 142, f. 63. Admiralty Court Libels 99, no. 69.

³⁶ Adm. Ct. Exemplifications 88, no. 11.

³⁷ Pat. 14 Jac. I, pt. 2, no. 15.

³⁸ The exemptions noted above are probably not the only ones.

³⁹ Adm. Ct. Acts 1 & 2.

⁴⁰ Adm. Ct. Letter of Marque Bonds 1.

⁴¹ Adm. Ct. Miscell. 1124, no. 63, patent dated 20 August 1536.

⁴² Hale's MSS., Linc. Inn, no. xcii. (xcix.)

A record of the proceedings of Gonson's court exists, and shows that it dealt mainly with wreck, fishery, and other local maritime business. In the latter half of the century and afterwards the judge of the vice-admirals' court was usually a civilian more or less acquainted with the law and procedure of the high court. In many counties however the courts were, in all probability, extremely informal. An appeal lay to the high court.⁴³

The earliest records relating to the vice-admirals deal mainly with their relations to the lord admiral in money matters. They were appointed primarily, perhaps, for the purpose of collecting for the lord admiral the dues and perquisites which were granted to him by his patent, and of these wreck was the most important. Soon after the institution of the office regulations were issued providing for a half-yearly rendering of accounts before the judge of the admiralty. Many of these accounts, which deal almost exclusively with wreck, are extant, as also are many complaints of neglect to account. Some of them deal with large sums. The account of Sir James Bagge, vice-admiral of Cornwall in 1634,⁴⁴ charges him with 29,258*l.* 11*s.* 2*d.* received between 1628 and 1634 in respect of wreck, and 3,809*l.* 12*s.* 6*d.* for ambergris; and in 1626⁴⁵ Sir John Hippeley writes to the lord admiral that at one court he has made for him 30,000*l.* in droits. On the whole however neither the crown nor the lord admiral received much revenue from this source; many of the vice-admirals' accounts are for trifling amounts. How much the vice-admirals themselves made by their office is not so clear; it is certain that some made far more than the share (usually one-half⁴⁶) of wreck and droits which was their legitimate profit. They discouraged private salvors from assisting ships in distress, claiming the right to do all salvage work themselves. In the result legitimate salvors sometimes failed to get any reward for their services, the vice-admirals having already exacted 'salvage' payment from the unfortunate ship-owner.⁴⁷ This may explain a saying⁴⁸ of the sea coasters that they 'had rather trust God with their souls than the admirals with their goods,' i.e. wrecked goods salvaged by them. It was not until the seventeenth century that private salvors established their right to sue for and to enforce against the salvaged property, the vice-admirals, and the owners a legal claim to salvage reward. Once established, this right largely interfered with the profits of the lord admiral and his vice-admirals. In 1697 and again in 1707⁴⁹ affidavits were made by the vice-admirals of several counties that

⁴³ Adm. Ct. Records, *passim*.

⁴⁴ S. P., Dom., Charles I, vol. 354, no. 25.

⁴⁵ *Ibid.* vol. 19, no. 17.

⁴⁶ Most of the accounts are rendered on this footing.

⁴⁷ Adm. Ct. Acts 62, ff. 274, 291 b; cf. Acts 64, ff. 133, 281.

⁴⁸ S. P., Dom., Charles I, vol. 322, no. 17.

⁴⁹ Adm. Ct. Instance Papers 18, 23.

the profits of their office did not exceed 50% in the year. For what purpose these affidavits were made does not appear. Vice-admirals were rendering their accounts of *droits* so late as 1846 ;⁵⁰ in 1854 the Merchant Shipping Act of that year put an end to the right of vice-admirals to 'salve' or interfere with wreck. Sometimes, perhaps, the vice-admirals of the sixteenth and seventeenth centuries may have acted as a check upon the piratical and wrecking propensities of the sea-coasters, but in the main they were probably no better than their contemporaries. It has been already stated that some of them connived with pirates, and in the matter of wreck their profits therefrom were too large to be wholesome, and the law as to wreck was until almost modern times a direct incentive to wrecking in its worst form.⁵¹

Those seaport towns that previously to the passing of the Municipal Corporations Act⁵² (1835) possessed admiralty rights appear to have exercised them mainly in respect of wreck. Wreck, flotsam, jetsam, or lagan, brought into their harbours and presented in their admiralty courts was awarded in shares (usually one-half each) between the town and the finder. That these rights were of value is shown by the fact that in 1829 Southwold and Dunwich contested their claims to a puncheon of spirits picked up at sea and spent 1,000% in costs.⁵³ In the previous century Yarmouth spent 7,000% in litigating its claims to wreck and admiralty jurisdiction.⁵⁴ Appeals from these courts lay to the high court ; but in 1781 Yarmouth claimed, apparently successfully, that the appeal from that court lay to the court of delegates.⁵⁴

Among other duties of vice-admirals were to stay pirates, to impress seamen, to see that prizes were not unloaded or bulk broken without leave and to inventory the cargo, and to enforce embargo. Instructions or statutes for their guidance were issued from time to time ; the earliest are of about 1558. Although the vice-admirals had duties in connexion with prize and piracy these matters were never triable in their courts. As stated above piracy was in early times triable in the king's courts, but it seems never to have been felony at common law, and soon after the institution of the admiral's court the practice was discontinued. In the fifteenth century an attempt was made by the statutes⁵⁵ constituting conservators of truces to make it treason, but apparently without success. In 1536 for the first time an efficient tribunal was constituted for the trial of piracy as a capital offence before com-

⁵⁰ When the Salvage Act, 9 & 10 Vict. c. 99, was passed.

⁵¹ It was not until 1771 that it was decided that the property in wrecked goods was not diverted from the owner by reason that no man, dog, or cat escaped alive.

⁵² 5 & 6 Will. IV, c. 76, put an end to all these local admiralty courts, except that of the Cinque Ports.

⁵³ *Report of the Municipal Corporations Commission*, iv. 224.

⁵⁴ Yarmouth Town Records.

⁵⁵ See above, p. 471.

missioners appointed under the statute of 28 Henr. VIII, c. 15. One or two⁵⁶ of the seaport towns claimed the right to try piracy even after the passing of this act, but the claim does not seem to have been well founded. The Cinque Ports admiralty in early times probably had or assumed jurisdiction in prize or piracy; in 1577 Elizabeth issued commissions to the warden to set forth ships against pirates, and in 1587 against Spain, and to adjudicate upon their captures.⁵⁷

The granting of commissions to towns and individuals to capture pirates led to great irregularities; nor is this to be wondered at when vice-admirals frequently and at least one lord admiral⁵⁸ were more than suspected of conniving with pirates. Commissions to capture pirates were occasionally issued throughout the seventeenth century to the great trading and colonising companies and others,⁵⁹ but prize and piracy⁶⁰ jurisdiction of local courts was after the death of Elizabeth gradually discontinued and finally suppressed. In 1702⁶¹ an inhibition issued to the Cinque Ports expressly forbidding the warden to try prize.

The union of Scotland with England gave rise to many difficulties in connexion with the admiralty. Whether the crown had power to appoint vice-admirals in Scotland, and if so what powers were to be granted to them; whether or no the vice-admiralty of the Orkneys and other parts of the Scottish coasts had before the Union been granted by the crown to adjoining landowners and their successors—are questions which have occupied the Scottish courts since the Union, and are perhaps not yet decided. In the seventeenth century the Scottish admiralty court exercised a prize jurisdiction, and so late as 1778 claimed the same powers. Since that date this question has been settled by statute; and at the present day the High Court of Justice is the only court in the United Kingdom having prize jurisdiction. In Ireland vice-admirals were appointed in the reign of Elizabeth and subsequently, and similar difficulties have from time to time arisen with reference to their powers and jurisdiction.

The question whether or no a palatine county is subject to the jurisdiction of the lord high admiral has been raised more than once. Soon after the Restoration it appears to have been decided

⁵⁶ E.g. Yarmouth and Southampton. In 1823 pirates are said to have been tried at Yarmouth admiralty sessions (Yarmouth Town Records). As to Southampton, see Adm. Ct. Exmpl. 1, no. 34.

⁵⁷ Add. MS. 34150, ff. 61, 118. At f. 122 is a curious letter from Burghley to Cobham as to the profits made by the lord admiral and the warden in time of war.

⁵⁸ Lord Seymour.

⁵⁹ The notorious Kid had one.

⁶⁰ Pirates were tried at Yarmouth adm. sessions as late as 1823 (Yarmouth Town Records).

⁶¹ Exmpl. 62, 27 August 1702.

that the bishop of Durham was not entitled to admiralty rights which he had sometimes claimed and exercised.⁶² A similar question has arisen in Cornwall as between the duke and the lord high admiral.⁶³

Vice-admiralties were not always conterminous with counties. Sometimes two or more counties were ruled by one vice-admiral, and we find a vice-admiral of the Severn,⁶⁴ of Milton hundred (Kent),⁶⁵ of Stangate Creek (Medway),⁶⁶ of Kent exclusive of the Cinque Ports, of Barnstaple and Ilfracombe,⁶⁷ and of one or more manors.⁶⁸

Throughout the sixteenth and seventeenth centuries the admiralty was looked upon mainly as a source of profit, and the lord admiral sometimes retained the admiralty of a county or of a district in his own hands, farming it for his own use by a deputy or commissary. Usually however it was granted by him to a friend, a relative, or a local magnate, the grant being by patent under the admiralty seal. Only to a vice-admiral so constituted could the title properly belong; but vice-admirals frequently employed deputies, and sometimes leased their office, and these deputies and lessees are frequently but improperly called vice-admirals; it is not always possible to distinguish them from the real vice-admiral.

In a subsequent number it is proposed to publish lists of the vice-admirals of the several counties from 1525 onwards.

R. G. MARSDEN.

⁶² In 1624 the Isle of Man claimed to be exempt from the lord admiral; S. P. Dom., James I, vol. 173, no. 121.

⁶³ Admiralty Out Letters, 1067, ff. 121, 186.

⁶⁴ Adm. Ct. Miscell. 1140, 19 November 1603.

⁶⁵ *Acts of P. C.* 1587-8, p. 254; Adm. Ct. Libels 63, no. 196.

⁶⁶ Adm. Ct. Letter of Marque Bonds, 1.

⁶⁷ Adm. Ct. Miscell. 1127.

⁶⁸ *Supra*, p. 472.

The Northern Pacification of 1719-20

PART I.—THE TREATIES WITH PRUSSIA.

AFTER the death of Charles XII Sweden was obliged to submit to peace with some, at least, of her adversaries upon the best terms she could obtain, and in the first place with either Hanover or Russia. George I and Peter the Great, mutually in almost declared hostility, were willing enough to secure permanent possession of their acquisitions in the war each at the expense of the other. Denmark stood, undecidedly, with Hanover, Prussia firmly with Russia. George made his principal condition of peace the cession of the duchies of Bremen and Verden; Peter, that of his conquests south of Finland. If he would have restored Livonia and the port of Reval as well as Finland, peace would almost certainly have been made with him.

Just before the death of Charles was known, George, to protect his electorate from the attack which was believed to threaten from Sweden and Russia combined, had concluded with Austria and Saxony the treaty of Vienna of 5 January 1719. This provided principally against the passage of Russian troops through Poland into the empire and their junction with those of Prussia. It was never completed, because the republic of Poland never acceded to it, as was provided. The withdrawal of the Russian army from Poland was claimed as its firstfruits, but this Peter would seem to have decided upon before,¹ requiring all his forces to prosecute the war with Sweden, after his terms of peace had been rejected. But it had a powerful effect, especially at Berlin, as was seen in the negotiations there in the summer.²

¹ Daniel Moore from Dresden, 11 January 1719, Record Office, Poland 25:

His Czarish Majesty signifies likewise that he is extremely pleased to satisfy His Majesty and the Republick, and that they may name commissaries to conduct his troops into his own country, but that he hopes that the King and the Republic will be so good as to oblige the City of Dantzick to furnish him with some frigates, as they have already promised.'

² See on this treaty Droysen, *Geschichte der preussischen Politik*, iv. ii. 247 foll. and iv. 371 foll., and his essay 'Die Wiener Allianz' in his *Abhandlungen sur neueren Geschichte*; also Michael, *Historische Zeitschrift*, LXXVIII. i. 58. Droysen is, as usual, ultra-Prussian. Michael disposes of his view that there was any intention to

A plan for the pacification of the north, emanating, it would seem, in part from the British minister at Vienna, was circulated among the European courts in February.³ Its main proposals were that Sweden should give up her German provinces to their present occupants, who would then combine to force Peter the Great to restore everything excepting St. Petersburg, Cronslot, and Narva, and so much of Ingria and Carelia as depended on them, and, if he refused, to deprive him of those places also, and of Smolensk and Kiev as well for the benefit of the republic of Poland; that the king of Poland should have the lands and royal revenues of Wismar and the isle of Poël, and 500,000 crowns⁴ to be subscribed by the kings of England, Denmark, and Prussia; that Rostock should be a free imperial city; and that the duke of Holstein-Gottorp should be restored to the rights of his ancestors in Holstein and Sleswick, upon conditions. That this plan sufficiently represented George's views is shown by passages in the despatches of Craggs, secretary of state, to Lord Stair at Paris, as will be seen below.

But these were the ideas of George only, or of George and the king of Poland. The Swedes were not prepared to cede the whole of Bremen and Verden, nor anything to Denmark or Prussia. The Danes were for pushing the war to its extremity, intending to win back the provinces in Sweden lost sixty years before. Frederick William of Prussia held closely to his alliance with Peter the Great, and would have been content with a mortgage of Stettin only. And it was essential under present conditions to consult the wishes of France, a power with whom Great Britain, under the stress of the war with Spain, was in closer union than ever. The cardinal principle of French policy being always repression of Austria, the regent not only favoured Prussia, placing the interests of Frederick William only second to those of King George,⁵ but also would have Sweden retain territory in the empire and a

dismember Prussia, nor can it be held that an attack on her separately was contemplated, though the Prussians, no doubt, thought otherwise. The main part of the treaty is printed by Dumont, viii. ii. 1, and Lamberty, x. 72. Its 'exordium' was the execution upon the duke of Mecklenburg-Schwerin, Peter's niece's husband, which was promptly carried out.

³ *Plan projeté pour la paix générale du Nord à traiter à Brunswick*, printed by Dumont, viii. ii. 8. Droysen (iv. ii. 154) says that it was drawn up at Vienna by St. Saphorin and count Flemming, the British and Saxon ministers, and count Sinzendorf, and submitted to the emperor. There are copies with lord Polwarth's despatches (Record Office, Denmark 41), and several in the French archives (Suède 137, 145) received from different courts. Polwarth (4 March) says that the project was being handed about as received 'from a private hand at Vienna.' James Haldane (Cassel) says that it was reputed there to have been published by king George's order; he attributed it himself to the Saxon Schmettau at Vienna (Record Office, German States 119, 20 March).

⁴ So in Polwarth's and other copies.

⁵ Cf. *ante*, vol. xx. 47-9, 273, xxi. 464-6.

voice in its affairs. But if the claims of Hanover and Prussia were to be allowed, this could only be at the expense of Denmark. George, however, would not readily give up his Danish ally, and while willing that Prussia should have Stettin and its district, refused absolutely to allow anything to her ally the tsar.

Gradually the obstinacy of the Danes and the exigencies of the European situation obliged him to modify his policy, as desired by the regent. We may follow the discussions at Paris in the correspondence of Craggs and Stanhope with Stair and Dubois.⁶ The intercourse of the two latter was by no means smooth; the cold, insistent ambassador, the quick and nervous abbé were naturally antipathetic, and the irritability of the latter was increased by the difficulties of his position. It required all the soothing diplomacy of Craggs to prevent an open rupture. And Stair was constantly mistrustful of the regent's sincerity in regard to affairs both of north and south.⁷ On the other side the treaty of Vienna roused great jealousy. Complaint was made that it had not been communicated, as the friendly relations of the two powers demanded. The answer was that this had not been thought necessary, as neither Great Britain nor France was concerned in any way; that it was natural to take precautions in the north; that a treaty of a similar character had been concluded in 1717 between France, Russia, and Prussia in similar secrecy, and so on.⁸ The difference was composed, for the necessities of the regent and of George demanded its composition, but it was serious.⁹

First, we have despatches from Craggs of 12 and 17 January, o.s., the latter a very long and important private letter, whose burden throughout is the necessity for the king and the regent 'to unite and act together in strict concert upon the northern affairs.' Stair must particularly try to discover French sentiments in regard to the tsar. It was very necessary for him to talk of a general peace in the north, including Russia, and to give all public appearance of a desire for it. But some restitution must be made to Sweden: namely, 'those provinces, for whose sake only we can

⁶ Record Office, Foreign Entrybook 80, France 163 foll.; British Museum, Stowe MSS. 246-7. See also the letters of Stair to Robethon, *ibid.* 231, and the luminous narrative of Wiesener.

⁷ Private despatches, *passim*; cf. Wiesener, iii. 97, 98. Stair's general view was that Great Britain must make herself strong enough to stand alone. He sums up (26 March): 'In one word, my dear Craggs, so long as you stand firm upon your legs you will lead France, when ever wee come to be obliged to lean upon her for support, she'll help to tumble us down.'

⁸ Stair, 30 January, Record Office, France 163. See on the subject Wiesener, iii. 19 foll.

⁹ Dubois wrote retrospectively to Robethon on 25 February: 'Je vous avoue avec la dernière sincérité qu'il n'y a eu aucune circonstance pendant toute la Régence qui ait fait perdre plus de terrain à S.A.R. que celle cy' (Stowe MS. 231, f. 269).

suppose that Sweden will enter into a peace. . . . The question will be, whom we shall pitch upon to come into the general treaty of peace, because they will not be able to make war alone.' Confusion would be worse confounded, if the king, the regent, and the emperor all held different views. Craggs's own opinion, arrived at 'by ratiocination,' was that it would be a positive advantage to Sweden to be rid of the burden of her German provinces, recovering her eastern ones. A great many Swedes considered them only 'a bait to the ambition of their princes which frequently tempted them to enter into fresh wars.' The interest of Great Britain was clearly to renew the old alliance with Sweden and replace the Baltic commerce on its former footing. Stair must endeavour to dissuade the regent from favouring the tsar, but 'in a friendly obliging manner rather than by any pressing vigorous remonstrance.' To Dubois Craggs wrote praying for his assistance, and expressing disbelief in the reports of a French understanding with the tsar. The great thing was to know on what terms Sweden could be accommodated with him. Colonel Bassewitz, *homme très connu et très connoissant en Suède*, was going thither to inform the king exactly of what passed, and his reports would be communicated.

Then to Stair, 12 February, o.s.: It would scarcely be possible to effect a peace were the rigour of the tsar's demands allowed. For Prussia the king was bound as well as the regent¹⁰ to procure the cession of Stettin and its district, and he was ready to comply strictly with his engagements if the king of Prussia would fulfil his.¹¹ The king's present views were to settle a plan, if possible, to include the kings of Prussia, Denmark, and Poland, 'to preserve to each other what shall be agreed upon, satisfying Sweden at the expense of the czar,' who ought to be satisfied with St. Petersburg, Narva, and Cronsloot, and must be, if the powers named agreed thereon. The last letters from Jefferyes at St. Petersburg were convincing on the impossibility of making a peace which should satisfy both Sweden and Russia. The tsar would only consent to conditions acceptable by the former 'when he is not able to do otherwise, that is to say, when measures shall be taken to reduce him to it.'

On 4 March Stair reported Dubois's expression of opinion that a beginning must be made by an agreement between Hanover and Prussia. He had replied that the king would not be likely to object to this, but could not abandon the king of Denmark; the

¹⁰ Referring to what Stair wrote on 4 February: 'S.A.B. m'a dit qu'elle avait des engagements avec le Roy de Prusse par rapport à Stetin par un traité fait avec la tripple alliance,' i.e. the treaty of 14 (17) September 1716; *ante*, vol. xix. 74.

¹¹ Referring especially to the clauses of the treaty of 1715 transferring Prussian rights and privileges in Brunswick-Lüneburg and particularly the lordship over the three Bernstorff villages near Gartow (see below, p. 491, note 40).

interests of the three were compatible, and the king of Poland might be included. Dubois answered that France as a guarantor of the treaties of Westphalia might consent to the cession of Bremen and Verden, and of Stettin, but could not go further. Stair continuing to urge the cause of Denmark, he had said that he would wait to instruct himself more perfectly on northern affairs. Then on 8 March: The regent agreed that it was impossible to form a plan to satisfy both Sweden and Russia: a choice must be made; France had several engagements with the former, and the latter must not be allowed to become too powerful in the Baltic. And on 12 March, on the proposed renewal of the Åland conferences, Stair wrote that there was no appearance that the tsar would consent to concessions so contrary to his views as the restitution of Livonia and Reval, and that Dubois had said that the closest union was necessary between France and Great Britain, to which he had expressed his agreement.¹²

Craggs in reply, 9 March, o.s., wrote strongly in favour of the king of Denmark, for 'the king in interest and in honour cannot think of abandoning him, who of all the northern allies has alone kept any faith with his majesty.' A proposal to deprive him would make the emperor and other German princes suspect 'that France is desirous to have the Swedes preserve a footing in Germany, in order to assist them, as formerly, to disturb the empire, whenever they shall think it necessary.'¹³ . . .

Y. E. is acquainted with the King's thoughts, which are short, by an alliance to be concluded between Sweden, Denmark, Prussia, Poland, the Emperor, and His Majesty to the content of these Parties to recover to Sweden what the Czar has taken from her, and let him come into the Treaty *nolens volens* upon these terms.

As to mediation by France, claiming as a guarantor of the treaties of Westphalia, if it were to be admitted, the regent must declare his intention favourably.

Because the King observes from Y. E.'s letters a continual suspicion that the French do not act openly and above-board in these Northern matters, and some reason to apprehend that, whatever they say, they do

¹² Privately Stair wrote (12 March): 'You know that I have always had a suspicion that there is something that is not upright with relation to the affairs of the North.' But Dubois denied this imputation explicitly: 'Ce qu'on vous avoit dit de nos négociations avec le Czar sont des fables, et nostre unique attention avec ce Prince, avec la Suède et avec le Roy de Prusse a esté de les tourner à prendre des sentimens qui puissent convenir au Roi de la Grande Bretagne' (to Craggs, 8 March, Stowe MS. 247, f. 35).

¹³ Cf. Craggs, 28 April, o.s.: 'I can perceive by Mr. Destouches here that the French will not disguise their resolution to insist upon it, that Sweden, their old ally, should preserve some footing in Germany, a point which, I believe, differs from the king's thoughts upon that subject.'

not mean the same things with us, but are every now and then returning to their Old Maxims and Politicks, which they will not or cannot understand to be incompatible with their new Treaties,

therefore he would be very cautious how he put matters into their hands. Stair might give good words and assurances and reasonable hopes as to the mediation, provided that particular explanation of the conditions to be aimed at were given, for without that the king would not be able to obtain the consent of other parties. Dubois 'must perish whenever he deserts our common cause.' Though it was melancholy and provoking to see him sometimes swerve from it, yet every step in that direction should convince him of his danger. As to Stair's news about the projected invasion, no particular alarm was felt, but precautions would be taken.¹⁴ But Stair was still mistrustful, in spite of the assurances of the regent, who, he says,

m'a déclaré en termes précis, qu'il étoit prêt à nous sacrifier le Czar, ajoutant des raisons peu obligeantes pour le Czar, disant que le Czar étoit un Prince qui ne cherchoit qu'à brouiller l'Europe, en qui personne ne pouvoit prendre confiance; Monsieur le Régent exprima cecy en termes bien forts.¹⁵

The first authentic report of Swedish views came by count de la Marck, who arrived at Copenhagen on his way to Paris on 13 March. He had stayed on at Stockholm to see the princess Ulrica Eleonora elected queen, after she had formally renounced the prerogatives of absolute sovereignty established by her father and maintained by her brother,¹⁶ and had then left before the

¹⁴ That is, the invasion preparing from Spain. Craggs goes on to recount the preparations making by sea and land.

¹⁵ 2 April. Stair goes on: 'Par rapport aux affaires du Nord, je croy que la Politique de Monsr. de Torcy n'a pas laissé d'avoir quelque influence à cette Cour; cette Politique est que les conjonctions du Nord, qui pourroient donner de la peine et de l'embarras à l'Empereur et au Roy, sont utiles à la France.' And on 29 April: 'Si je ne me trompe, cette cour icy souhaite bien que la Suède fasse la paix avec le Roy, mais elle voudroit que la Suède se ligue avec le Czar et le Roy de Prusse. Il y a dans tout cela des incompatibilités qui font pitié. J'ay parlé aujourd'hui très fortement à S.A.R. contre la politique hétéroclite de certains ministres en présence de Monsr. l'Abbé Du Bois.' The regent agreed with him and declared his intention of adhering to the quadruple alliance. To Robethon on 11 April (Stowe MS. 281, f. 294) Stair wrote: 'Le Roy de Prusse préférera ce que le Roy luy offre de sur et de solide aux beaux châteaux du Czar. . . . Le principal objet de la France, sera d'avoir la médiation de la Paix du Nord pour le moins conjointement avec l'Emp'. Cette affaire nous donnera de l'embarras.' Stair himself thought that the best thing would be a good alliance between England, Poland, Denmark, and Prussia: 'il y aura des difficultés à ce plan et à l'exécution, mais on ne finira pas autrement, et si l'on ne finit point il est à craindre que de ce côté là le feu ne reprenne à l'Empire.' Such an alliance would draw France in its train; if she were allowed to take the lead, there would be danger.

¹⁶ De la Marck's account, 15 February, Paris, Ministère des Affaires Etrangères, Suède 148. The rejected candidate was Charles's nephew, the young duke of

regent's disapprobation of this step could reach him. He had been consulted, he says, by all parties not only on the question of the succession, but especially on what could be done for peace. He told Lord Polwarth that no terms would be made with Russia until he either sent word from Paris or returned to Sweden. The Danes, he said, must not expect to keep Stralsund and Rügen, though the question of Sleswick might be arranged. The issue for them depended upon what measures they might take with the kings of France and England. He advised delay in sending a British minister to Sweden till it was seen what success the proposals he himself carried might have, evidently wishing, says Polwarth, who disapproved, to be himself the instrument of peace.¹⁷ He reached Paris towards the end of April. His plan for peace, communicated after considerable delay to Stair, was as little acceptable as had been the terms offered by Charles XII. It allowed to Hanover and Prussia only partial cessions or mortgages, and to Denmark only ducal Sleswick, with reservation of revenues to the duke of Holstein-Gottorp. To Stair's report Craggs replied that the proposals required much consideration.¹⁸

At Hamburg on his way to Paris De la Marck had much conversation with Charles's faithful adherent, general Poniatowski, with the Prussian minister Knyphausen, and others.¹⁹ Count Rottembourg later disclosed to Whitworth at Berlin correspondence of his with Knyphausen, which bore a treasonable character in regard to Hanover. This was at once communicated to Stair, who promptly taxed the regent with the intrigue. The regent excused De la Marck, saying that he could not have acted in the manner stated, contrary to his express orders.²⁰ But, as we know,²¹ the count did not approve of his orders, proposing a league of Sweden, Russia, Prussia, and France to the exclusion of Hanover and Denmark, and had probably gone too far. Whitworth would have it that he was entirely in the interest of the court of Prussia.²² Stanhope wrote to Stair on 7 June severely condemning his con-

Holstein-Gottorp, whose only claim, right of birth, an invalid one, could not prevail against his personal unpopularity and that of the Holstein party.

¹⁷ The conversations in Polwarth's despatches of 14 to 28 March, Record Office, Denmark 41.

¹⁸ Stair's discussion with De la Marck in his of 6 May; cf. Wiesener, iii. 90-3: copies of the proposals with Carteret's despatches, Record Office, Sweden 24, also King's Letters 65. The capital point, De la Marck argued, was to separate Prussia from the tsar; hence Hanover and Denmark must moderate their demands, in order that Prussia might be satisfied. In the French archives (Suède 137) there is a long dissertation on the possibilities of peace given to the count by a Swedish minister, which it would be tedious to examine. Stress is laid on the particular importance of coming to terms with Prussia.

¹⁹ Dayrolle, 11 April, Record Office, Holland 269.

²⁰ See Stair's letter of 30 May.

²¹ *Ante*, vol. xxi. 472 note, 489.

²² May 20, Record Office, Prussia 8.

duct, and enclosing inculpatory extracts from his letters. He had certainly, he said, deceived the regent as to his action in Sweden after the king's death, and the renewal of the Åland conferences was attributed principally to him. Stair must desire that he should not be sent back to Sweden, for, whatever orders he had, he could not redeem his former conduct.²³ And so we shall have no further occasion to mention him, for the regent acquiesced.

On 15 May Stair wrote: 'Quant aux affaires du Nord vous pouvez compter que le but principal de cette Cour est que la Suède conserve un pied en Allemagne, et qu'elle ne départira point de cette vue.' He strongly advised the sending of a British minister to Stockholm, to prevent the Swedes from making terms with Russia. Cronström, the Swedish minister in Paris, had confessed to him that only the king of England could recover Livonia and Reval, without which, he avowed, Sweden would no longer be a nation. He also desired passionately to see a British fleet in the Baltic. The most acceptable thing of all would be a truce with Denmark, in the obvious advantages of which Stair concurred. The thing most to be feared, the regent had said, was that the tsar should restore Reval with the object of engaging Sweden in designs against the empire and Poland. He had repeated his assurances that he was ready to take measures with the king of England to relieve Sweden, and to engage himself to furnish succours to enable her to prevail over Russia. Then on 30 May:

In speaking of the affairs of the North, the Regent told me that he had good hopes that the king of Prussia would come into measures with the king, and that he expected it the rather, because the Czar had refused to comply with the king of Prussia's desire and earnest solicitation to give up Revel to the Swedes, in order to conclude a peace with that Crown. He told me further that he has good reason to believe that the king of Prussia was not so intirely engaged with the Czar, but that there was still hopes of bringing him off, because Monsr. de Kniphuysen had settled with the Count de la Marck at Hamburg that in case the king of Prussia was engaged with the Czar past retreat, he should make use of the expression, *notre mariage est indissoluble*, and that hitherto this expression had not been in any of Kniphuysen's letters.²⁴

²³ Record Office, France 164 and S. P. Dom. Entrybook 269. 'Il est trop engagé dans les intrigues du Czar et de la Cour de Prusse pour que Sa Majesté puisse reprendre aucune confiance en luy.'

²⁴ A later argument for gaining Prussia is expressed by Stair on 18 June: 'The Regent seems at present very desirous that the king of Prussia should agree with the king, and that the troubles of the North should be composed, because it is upon those troubles that the Cardinal Alberoni and the Spanish party in France seem to build their greatest hopes; and his R.H. judges very rightly, that if the king of Prussia was detached from the Czar, the ill-affected in this country could have nothing to expect from the North, and so might become more wary and backward to engage themselves in Cardinal Alberoni's desperate designs' (Record Office, France 164, and similarly in despatches following. Cf. Wiesener, iii. 137).

Contemporaneous with these negotiations were others carried on with Denmark. A special envoy, count Holstein-Holsteinborg, came to England in February. His principal charges were to bring to a conclusion the treaties for carrying on the war so long in fruitless negotiation,⁵⁵ and to propose a complete interdiction of trade to Sweden, in order to starve the country to submission. But so far from allowing this, public opinion demanded and shortly obtained the withdrawal of the existing prohibition. And the drafts of treaties submitted were no more acceptable to the Danish government than before.⁵⁶ When the court repaired to Hanover in June, Holstein returned home. Like ill-success attended the efforts of the Danish Colonel Lövenörn at Stockholm, though Bassewitz⁵⁷ did his best to help him. The ultimate reason was that, while the Danes persisted in their extreme demands, the Swedes were as resolute to yield them nothing. The appearance of Admiral Tordenskjöld with a squadron off Gothenburg, threatening war were Lövenörn's terms rejected, inspired anger but not fear. The arguments of King George's ministers at Copenhagen had no effect upon the Danes. It was decided there to prosecute the war independently by an invasion of Sweden from Norway. At the end of June an army of 34,000 men stood ready on the frontier; Frederick himself arrived at Christiania on the 24th.⁵⁸

This action should have implied a concert with Russia. But this was not possible; the tsar was too much distrusted. Report after report had come that, to make peace with Sweden, he was prepared to sacrifice Denmark. His ambassador at Copenhagen was avoided, Holm quotes, as though he were a leper. He made proposals indeed for combined action, offering to guarantee the Danish acquisitions in Sleswick as well as in Pomerania, while on the other hand he threatened that, if Denmark concluded a separate peace, he would restore the duke of

⁵⁵ See *ante*, vol. xx. 37, 262; xxi. 468, 479 foll.

⁵⁶ At the Record Office (Treaty Papers 4) are 'additional instructions' (11 May, o.s.) to the lords justices to sign the treaty or convention with Denmark 'for strengthening our mutual amity and good correspondence and for facilitating the negociations that are to be set on foot in order to restore the peace of the North.' They are endorsed: 'N.B.—There was no instructions for the Lords Justices to sign any Treaty after this time.' For drafts of the proposed British treaty, providing for combined action against Sweden in the Baltic and for Danish succours to king George at home, see Record Office, Foreign Entrybook 5, S. P. Dom. Entrybook 414. And on the provisions of a commercial treaty proposed see a Board of Trade report of 13 May o.s., *ibid.* Treaty Papers 4. Stanhope wrote that the political treaty would satisfy the Danes that count Holstein had been neither idle nor unsuccessful (14 April, o.s.)

⁵⁷ Colonel Adolphus Frederick Bassewitz, sent to Stockholm on the part of Hanover, as above said, p. 481.

⁵⁸ See fully on the above Holm, *Studier til den store nordiske Krigshistorie*, pp. 637 foll.; also the despatches of Lagau, French secretary at Stockholm, Paris, Ministère des Affaires Etrangères.

Holstein-Gottorp and even help him to the throne of Sweden. Count Musin-Pushkin arrived on 7 May to support Prince Dolgoruki. But in reply to their proposals for a joint attack Frederick said that, while ready to invade Sweden with all the forces he could muster, for a blockade of Carlskrona he would negotiate with the English admiral, when he came; and he expressed the conviction that the tsar should make such concessions as would enable the king of England to join with them. From this answer the Russians concluded that the Danes were loth to separate from King George and desired to be free to make their own terms. Frederick however went so far as to send an officer to St. Petersburg early in June to inquire when operations would begin, in order that his own might coincide.

The outcome, then, of the negotiations with France and Denmark was acceptance of the regent's view that a beginning must be made by gaining Prussia. The objections of the Hanoverians, founded partly on jealousy of Prussia, partly on their sense of the incompatibility of the proposed alliance with the accustomed devotion to the emperor, were overruled. It was decided to send Charles Whitworth back to his old post at Berlin, and the young Lord Carteret as ambassador to Stockholm. There followed fourteen months of most difficult diplomacy at those courts, at Copenhagen, and at Paris, before the pacification, apart from Russia, could be completed. The whole was directed by Stanhope, down to November from Hanover. He was successful, but the expedients which he was forced to employ were manifestly discreditable.²⁹ To use the words of Erdmannsdörffer: out of the almost impenetrable confusion of truth and falsehood, interest and greed, projects and imaginings, unions and differences, necessities and accident, a general pacification of the north at length resulted. For England, Russia was always the enemy unceasingly to be watched and her alarming increase restrained. On this account Sweden must be rescued from complete destruction, although the circumstances obliged her to put up with serious losses. England took over the mediation; it was not to be expected that German interests should be placed by her in the front rank; the principal aim of English policy was to bring Prussia and Denmark to terms with Sweden and thereby to isolate the tsar for ever.³⁰

Friendly expressions enough had been exchanged between the Prussian resident Bonet and Stanhope at the beginning of the

²⁹ Cf. Droysen, iv. ii. 283, in reference to the treaties with Sweden: 'deren Artikel er mit Drohungen, Bestechungen, Täuschungen, mit allen Mitteln einer mehr dreisten als ehrenhaften Diplomatie einen nach dem andern durchzutreiben verstand.'

³⁰ *Deutsche Geschichte*, ii. 350; cf. Droysen, p. 282.

year.³¹ Indeed Frederick William was willing enough to be reconciled with his father-in-law, provided that this did not entail a breach with his ally the tsar or advantage to the particular object of his hatred, the king of Poland. But suspicion of Prussian intentions was expressed by Stair, and Whitworth had advices from a German friend of a most alarmist character.³² When it was decided to send him to Berlin, he went in great distrust, founded upon his former experience of the Prussian ministers.³³ He arrived there on 16 May. Two treaties were to be negotiated, one with Great Britain and one with Hanover. Whitworth's instructions,³⁴ of course, only related to the former. The principal document stated that 'whereas the death of the late king of Sweden seems by the special hand of Providence to furnish a happy opportunity for reconciling the differences, composing the troubles, and establishing a good peace in the north,' and particularly for staying the damage inflicted upon British trade in the Baltic, the best means to put an end to 'these ruinous and fatal disorders' seemed to be a strict alliance and friendship with 'our good brother and son-in-law, the king of Prussia.' As the affairs of his majesty's electorate were 'much complicated with those of the north, and not a little interwoven with the interests of the king of Prussia,' his resident Heusch had orders to communicate to Whitworth the state of affairs, and aid and assist him. He must do the like, and further communicate the purport of his mission to the French minister, Count Rottembourg, endeavouring to discover from him what were his instructions and what he had done.

The articles of the proposed treaty with Great Britain, four in number, were then discussed. On the first, a Prussian guarantee of the Protestant succession, Whitworth was informed that in return a British guarantee of the king of Prussia's peace with Sweden should be given, when it was made. The succour was named at 6,000 foot, or ships or money in proportion. The second promised a British guarantee of the treaty to be negotiated between Prussia and Hanover, with like succour, should the king of Prussia be molested in his new possessions. The next stipulated that no

³¹ See Record Office, Foreign Entrybook 253, 22 and 27 January, o.s.

³² See Record Office, Holland 265. The advices, Whitworth said, 'never could have come in a luckier or more necessary juncture. . . . The main point is to secure the concurrence of the emperor and France in your concert, and then Prussia must come in' (to Tilson, 7 March).

³³ A single quotation from many in his despatches will suffice. 'I am still more and more persuaded that the court of Prussia will trick us, if they can. The present ministers there are not to be converted by reason but necessity, nor are they at any time or on any occasion to be trusted. I have such proofs of them, that no protestations would ever convince me of their sincerity' (16 February).

³⁴ Dated 15 April, o.s., Record Office, King's Letters 52.

peace should be made with Sweden unless commerce in the Baltic were restored to its former footing, in whosoever hands the ports might remain; and this, Whitworth was informed, was the principal aim of the treaty. Lastly, there was an article for liquidation of the arrears due to Prussia from the French war: an article only to be inserted if insisted upon, but the expectation of payment to be held out to facilitate acceptance of the others.³⁵ The importance of affairs at the Hague, it was said, rendered it desirable that Whitworth should return thither as soon as possible.

Then there were (1) private, (2) very private and additional instructions of the same date.³⁶ In the former, Whitworth was ordered to treat Rottembourg with great confidence, communicating to him 'freely but discreetly' all that was done, and saying that there was the greater readiness to give Prussia a guarantee of Stettin, since it was understood that France had given such a guarantee. He was civilly to decline to communicate to the Prussian ministers the whole of his commission until he had had an audience of the king, 'lest they should give a wrong turn' to his proposals and prejudice his case. He was to offer a British guarantee of the electoral treaty to be proposed by Heusch, and explain its substance to the king by word of mouth, leaving particular exposition to the resident. He was to say that the importance of affairs in Holland necessitated his speedy return thither, and that he had been specially selected as in the confidence of and agreeable to the king of Prussia. Should the latter suspect from the king of England's frankness some pressing necessity in his affairs, it was to be insisted that his only motive was an earnest desire for the king of Prussia's friendship. Any new pretensions that he might have in the north had better be referred, it should be suggested, for settlement with other points at the congress of Brunswick, rather than be allowed to hinder the present negotiation. In general, Whitworth should avoid discussing the affairs of the empire or any subject foreign to the present treaties, as not proper for the crown of Great Britain to be engaged in; of the Vienna treaty, in particular, he was to disclaim any particular knowledge, but to say that he understood it to be purely defensive, and only directed against powers designing to molest the parties to it, so that the king of Prussia could in no way be affected; besides, it was intended to invite him to join it. Similarly, he must deny possession of instructions in regard to Mecklenburg, or the duke of Holstein, or the king of Poland, such matters either belonging wholly to the emperor or empire, or proper to be treated of at Brunswick. Discussion about Courland, the king of Prussia being 'not a little fond of that project,' must be dexterously avoided;

³⁵ The four articles, *ibid.* S.P. Dom. Entrybook 414.

³⁶ *Ibid.*

but it might be insinuated that the republic and king of Poland having very considerable rights in that quarter, the king of England did not see his way to meddle without their consent. If the king of Prussia seemed favourably inclined to listen, Whitworth might bring forward the interests of the kings of Denmark and Poland, citing the king of Prussia's desire to make peace in concert with the tsar, and deducing therefrom that he could not be less desirous of making it in concert with the other allies of the north, for then he would have not only their reciprocal guarantees, but also that of Great Britain and her best offices to obtain those of the emperor, France, and the States-general. If he expressed want of confidence in the emperor, Whitworth should insinuate that distrust in that quarter could only arise from his connexion with the tsar, and would disappear as soon as he accepted joint action with Denmark and Poland, who were in no wise so suspected, but rather in strict friendship with the emperor. While the latter, in his position of mediator, could not declare himself at once about the provinces to be taken from Sweden, he would doubtless confirm the cessions when they were made. Lastly, Whitworth was to say that peace must not be concluded unless freedom of trade were completely restored, in whosoever hands the Baltic ports might remain, particular regard being had to the trade of Dantzic and Elbing, and that for the mutual succour it would be preferred to supply ships rather than men, not as under the treaty of 1690; and, to hasten matters, he was to give frequent reminders of the necessity for his speedy return to the Hague, and not to dispute points of ceremonial.

The very private instructions were concerned with the relations between the king of Prussia and the tsar, prescribing how Whitworth must delicately and with every possible precaution feel his way in ascertaining them, in suggesting a change, and in appearing to acquiesce, if he found the two inseparable. There was added a plan of pacification, which however the two ministers thought it better to suppress.³⁷ It differed principally from that circulated in February in omitting mention of the tsar, though combination against him was implied in its terms. The king of Poland was only to have peaceable possession of his kingdom and the grand duchy of Lithuania; the security of Dantzic and Elbing and freedom of commerce were to be provided for; restitution to the duke of Holstein-Gottorp was to be settled at Brunswick.³⁸

To his surprise Whitworth found himself well received; both the king and the negotiating ministers, Ilgen and Knyphausen, he says, evinced anxiety to come to an understanding. In the French

³⁷ 'Afin que cette Cour n'en fit pas un mauvais usage' (Whitworth, 23 May).

³⁸ Record Office, S.P. Dom. Entrybook 414.

envoy, Count Rottembourg, he found an unexpected and most valuable ally, whose frankness and zeal for the king's service he repeatedly emphasises. But there was a strong opposition, headed by the prince of Anhalt and Grumbkow, who, with the Russian ambassador, Alexis Golovkin, used every artifice to thwart him. Another adverse influence was that of Bonet in London. Rottembourg had seen an original despatch from him, setting forth the growing jealousy in England of the king's German ministers, in view of the secrecy in which they acted, and stating that king George had two natural enemies—France, in respect of his kingdom, Brandenburg of his electorate; that if the Baltic trade could not be restored this season by peace with Sweden or otherwise, the government would fall; that Whitworth's principal instructions certainly regarded the tsar, though he might not speak of them at first; and if he were sent back, as seemed probable, it would be good to intimate to Stanhope that this was solely the fault of questions concerning the electorate. Bonet himself would insinuate the same to Sunderland.³⁹

Frederick William himself Whitworth found open enough, but vacillating, according to the character which the French writers give him. He lacked ability to rely on his own conclusions, sound and just as they usually were. He would listen to Whitworth's arguments and promise to sign the treaties, then hear the other side and withdraw. His indecision was, indeed, excusable. He was asked to exchange an alliance which he highly valued for another which he distrusted and disliked. To abandon Peter the Great was to lose a powerful support against Austria, and to expose his outlying royal province to a Russian attack. Yet he dared not brave the allies of Vienna with no prospect of support from France. He wanted the impossible—to be on terms with both Peter and George at the same time.

There was little difficulty either with the British treaty or with those clauses of the Hanoverian which provided for peace with Sweden on the conditions of the treaty of 1715, the cession, that is, of Bremen and Verden and Stettin. The disputes arose on two other clauses: the one requiring the transfer to Hanover of certain Prussian feudal rights and other privileges in Brunswick-Lüneburg, particularly the lordship over three villages belonging to Bernstorff's estate of Gartow; ⁴⁰ the other introducing the kings

³⁹ Whitworth, 1 June, secret. He uses strong language: 'la relation de ce malheureux, remplie de sottises'; 'elle est capable de renverser toute notre négociation, et paroit avoir été écrite dans ce dessein, et peut-être même de concert avec quelqu'un des ministres icy.' Cp. extracts from Bonet's despatches of 17 March, 15 and 24 April, o.s., quoted by Droysen, pp. 260-1, notes, and his memorial of 25 May, o.s., with Craggs's report of an interview with him, Record Office, Regencies 78.

⁴⁰ Article 5 of the treaty of 1715 transferred to Hanover, conditionally upon Prussia keeping Stettin and its district, all the rights and church patronage described,

of Poland and Denmark. The transfer had been stipulated in the treaty mentioned, but never carried out, and the date from which the guarantees of Bremen and Verden and Stettin should take effect was now postponed till it should have been made, and the documents of cession handed over. The villages, situated in the extreme eastern angle of Brunswick-Lüneburg which re-entered into Brandenburg, were of considerable political importance: through them passed the roads from the Altmark to Lenzén and the north.⁴¹ Frederick William attached to the clause of transfer conditions, among others, that passage should be free, and that no lines or fortifications should be erected. In the Hanoverian view these limitations rendered the concession valueless, and they were strongly opposed by Bernstorff and his colleagues. The other clause was struck out; Frederick William would have no mention of either king, but on the other hand was importunate to bring in the tsar. So difficult was he about the king of Poland, that this article, even in its modified form, was not accepted until the final exchange of ratifications.⁴²

The amended drafts were sent to Hanover and returned early in June. All the Prussian conditions about the three villages were struck out, but the Polish clause, now the seventh, was considerably modified. And it was stated—and Stanhope claimed this as an advantage⁴³—that as the parties were already under equal treaty engagements with the king of Denmark, it did not appear necessary to make stipulations in regard to him.

Stanhope, in his covering despatch,⁴⁴ said that it was not surprising that the Prussians feared the Vienna treaty in respect of Poland, but the king would give a formal and positive engagement, as elector, to guarantee to the republic full liberty of election to the

and the 'superioritas territorialis' over the three villages, Holtorf, Capern, and Gummern and their appurtenances, and over the contiguous Elbe and Åland waters to the middle of the stream, with reservation to the house of Gartow of all rights, whether previously reckoned under the 'Regalia' or not.

⁴¹ Droysen, p. 269.

⁴² 'Den vornehmsten Anstoss gab ein Artikel zu Gunsten Polens, der gegen Russland gedeutet werden konnte' (Ranke, *Preussische Geschichte*, v. 26; cf. Droysen, p. 250). 'En toute apparence,' Whitworth wrote on 27 May, 'les ministres icy rompront ce traité plutôt que de laisser nommer le Roy de Pologne.' And of Ilgen he said, 'il ajouta avec véhémence que les affaires de Pologne et la sûreté de son maître de ce côté-là étoient de telle importance, qu'il faudroit abandonner dix Stetins, et n'y jamais penser, plutôt que de les négliger.'

⁴³ 'If you finish with Prussia upon the foot now proposed, 'twill have been the greatest happiness imaginable that Prussia by the difficultys idly started about Poland have given us a decent occasion of being either absolutely silent in this treaty touching Denmark, or of mentioning it in a manner which will not bind the Crown of Great Britain to conditions which I believe can never be obtained, and which perhaps it would not be desirable to obtain, if we could, especially considering the views which Prussia hath unawares disclosed to you upon the Danish Pomeran' (Hanover, 25 May, o.s., Record Office, Prussia 8).

⁴⁴ Last cited.

throne after the present king's death, and would further give a British guarantee, as king, of the treaty embodying the same, the strongest safeguard to Prussia possible. Having thus gone to the utmost length in meeting Prussian wishes, it was to be hoped, he said, that that court would not let slip the present occasion of securing the British and Hanoverian guarantees offered. How could the emperor be prevailed upon to confirm the cessions if Prussia flatly refused to allow his close ally to keep his crown? The king of Poland's guarantee of Stettin to Prussia was much more valuable than the reciprocal guarantee required. 'If the king of Prussia sets any value upon the friendship of our master, he must consent to this condition.' If the draft now sent to Heusch were not accepted, Whitworth must leave Berlin. The article however might be kept a separate one, and secret as long as necessary.⁴⁶ In that case Prussia might get from the king of Poland the guarantee of Stettin and his promise not to make a separate peace with Sweden, and the king of England would immediately employ his good offices at Dresden and elsewhere.⁴⁶

To Stair Stanhope wrote that in sending Whitworth to Berlin to engage that court to work conjointly with the king for peace with Sweden, the method suggested by Dubois in his despatch of 5 May had been exactly followed, nor was success despaired of. If Whitworth prevailed, the obligation would be to Rottembourg; who both enlightened and supported him, and whose conduct was just the opposite of that of De la Marck.⁴⁷ Stair replied⁴⁸ that the regent was absolutely convinced of the necessity of making peace in the north, with the special object of preventing a league between Sweden, Russia, and Prussia. Even if the amended drafts were not accepted, the regent still hoped that means would be found to surmount difficulties and agree with the king of Prussia, and flattered himself that his desire would be acceded to, when the king was exactly informed of the situation of affairs in France.

At the conferences which ensued, says Whitworth, the former difficulties were renewed and others started. 'The most plain and general expressions were cavilled at, and their particular inclination for the Czar discover'd itself at every turn. I rose more than once

⁴⁶ Stanhope rather liked this idea, in view of what Whitworth had said about a guarantee by France. 'Our treaty standing thus free of any obligation to other allies, your thought of getting France to become a party to our guarantee, which is a very happy one, might then possibly take place, and you would consider in what manner we could best hook in their express guarantee for Bremen and Ferden.'

⁴⁷ Since writing the above, Stanhope ended, 'it hath been adjusted here in what manner both the king of Denmark and the Czar should be mentioned,' the whole being thrown into a separate article. 'You are at liberty as to the form in which they shall agree to this article, provided they agree to it.' If they would not, 'you must take your leave and come hither, where I offer you a bed.'

⁴⁸ 7 June, Record Office, France 164.

⁴⁹ 16 June, *ibid.*

to put an end to the conversation and treaty.' The engagements of the new seventh article were declared impossible, for they might oblige Prussia to support the king of Poland against the republic. Invective was used against the Saxon ministers and their behaviour. Ilgen said he had left the king *plus animé que jamais contre le Roy de Pologne, et que tout étoit rompu*. But at an audience immediately afterwards Whitworth found that the king had not been *prévenu* in regard to the seventh article; informed that the guarantee to the king of Poland was for life only, he said, *Bon, je suis content*. The third clause (that relating to the three villages) he expressed himself satisfied to remit to a separate convention, but insisted upon his conditions. Speaking of the Quadruple Alliance, he said he would not enter it, having no interest in the southern quarrel. Whitworth replied ingenuously that he did not think there was any intention of inviting him to come in.

But the same afternoon Golovkin and others had audience of the king, and moved him in an adverse direction. The final conference took place on 17 June, when Whitworth was informed that the king would consent to both treaties as now drawn, with the exception of the Polish article. Alternatives to this were offered, or a series of conditions, these in the king's own hand and signed by him as an ultimatum.⁴⁹ A fresh draft of the convention about the three villages was also presented, full, says Whitworth, of new clauses which made the transfer of no value. He and Heusch being unable to accept the proposals, he prepared to leave. Invited by the king to dine, he was well received, and was given other conditions of a similar character to submit at Hanover. He arrived there on 24 June and went on to join the court at Pyrmont.⁵⁰

But the issues at stake were too important to allow of this

⁴⁹ In Frederick William's own words: 'Soll mich der König von Polen darum requirieren, dass ich mit ihm Allianz mache, zum andern soll mir der König August déclaration und réparation solennelle und révocation des Fraustädter Briefs thun, und hernach soll er mir versprechen, mich zu dem ruhigen Possess vom Elbinger Territorium zu lassen, ohne das Geld wiederzugeben . . . zum letzten Draheim, Tempelburg, Lauenburg, Bütow, Preussen, dass sie von nun und ewig von der Krone Polen an das Haus Brandenburg cedirt werden, sonder Anspruch zu machen . . . und keine Erbhuldigung (in Preussen) präbendiren mit gehuldigt zu werden' (to Ilgen 16 June, Droysen, p. 262 note). Elbing and Draheim, Whitworth tells us, were mortgaged to the king of Prussia, the former for 400,000 crowns; Lauenburg and Bütow he held as fiefs of the republic.

⁵⁰ This account is taken from Whitworth's despatches, 13 to 20 June. Droysen (p. 263) attributes his return to the question of the three villages, and emphasises this and the part taken by Hensch as evidence of Bernstorff's influence. But greater importance was attached to the Polish question. Craggs wrote to Stanhope, 17 June, o.s., 'The treaty being broke off, what I wrote to your lordship is not very material, but I am extremely glad Mr. Whitworth did go to Berlin, since it not only shews us what we may depend upon from that Court, but shews all the world that the King neglected nothing to be well with them, a point as necessary as any for his Majesty's service at home' (Record Office, H.O. Regencies 73).

being the end. A pitched battle ensued between Stanhope and Whitworth and the German ministers. The French ambassador, Count Senneterre, threw his whole influence on the side of the former. That principally, according to Stanhope,⁵¹ gave them the victory. It was decided to comply with most of the conditions demanded, and Whitworth was back at Berlin on 14 July. Rottembourg and Heusch told him that he had come very opportunely, as reports brought by Count Dohna from Vienna had greatly influenced the court. The king had said that he was ready to sign the treaty, provided only that assurances were given him that he should not be obliged to take action against the tsar. He now told Whitworth that he regarded the treaty as made, and would observe it exactly. Sounded by Knyphausen on the subject of the tsar, Whitworth said that he must restore the vessels captured, let the sailors go,⁵² cease his intrigues with the emissaries of the pretender, and break off the Åland conferences, before any engagements could be made with him. Rottembourg, he reported, was as zealous as before, was being pressed from Paris to do his best, agreed with the proposal for a French guarantee of the treaties, and had asked for full powers to sign it.⁵³

But now (15 July) there came a special envoy from St. Petersburg in the person of Count Tolstoy. A letter from the tsar had already been received signifying that a treaty made with England without his inclusion would be regarded as a rupture of his own with Prussia, and that King George's intention was only

⁵¹ To Dubois, 2 July, o.s., Record Office, France 164. Expressing great regret that Whitworth had had to come back from Berlin, in view of the importance attached at Paris to an agreement with Prussia at any cost, in order to defeat the schemes of Alberoni, Stanhope reminded Dubois of the difficulties encountered in sending him at all. It was argued that, in view of the king of Prussia's positive declaration that he would in no case take action against the tsar, a treaty with him would only bind the king of England, leaving the other free to mock him when he pleased. Stanhope's side had advanced in answer the arguments which Dubois had suggested, 'qu'un traité signé avec le Roy de Prusse, quoique peu solide dans le fond, ne laisseroit pas d'imposer pour un tems à vos ennemis et aux nôtres,' &c. It might be expected to bring about a coolness between the king of Prussia and the tsar, which could be worked upon, and might draw the former further than he intended. Now Whitworth was returning, and could hardly fail of success, unless a treaty with the tsar also were insisted upon. Ilgen had proposed an open treaty including him, and a secret one leaving him out. ('They honestly offer to cheat him,' Whitworth wrote on this, 'but the way is too base, nor are they to be trusted on any account.'). This could not be thought of, but what the king of Prussia desired to hide from the tsar might be put into secret articles.

⁵² Efforts were being made to recall the British sailors in the tsar's service.

⁵³ Whitworth, 10 to 18 July. Stanhope advocated a French guarantee of the treaties in his letter to Dubois (cf. p. 498 note 45). The king of Prussia, having nothing more at heart than to keep Stettin, he said, such a guarantee would deprive him of this pretext for reliance upon the tsar and would secure the principal aim of the negotiation. 'Une pareille Garantie donnée par la France formeroit, ce me semble, un nœud entre Elle, l'Angleterre, la Prusse et l'Electorat de Hanover, dont les suites heureuses pourroient s'étendre même au-delà de la Pacification du Nord.'

to separate him from his ally, and then to sacrifice the latter for his own advantage.⁵⁴ Tolstoy was liberal both in threats and promises. On the one hand, he said that, if the treaties were signed without the inclusion of his master, his orders obliged him to break off relations;⁵⁵ on the other, says Whitworth, he offered *blancs signés* to be filled in with any conditions required. The tsar, he told Ilgen, would engage to have no correspondence with the Jacobites, to hear no proposals from Spain, to do nothing against the Quadruple Alliance, nor anything to disturb the emperor or the empire, and to content all British grievances; he would not even insist upon a guarantee of his conquests. But, if he were forced to break off his friendship, he would not want means to make his anger felt. Ilgen argued persistently in his favour; Whitworth rebutted, and at the end put the question, Would the king of Prussia go on or not? Ilgen said that he would, even at the cost of the tsar's friendship, but it was very hard on him, and he would be obliged to ask for a guarantee of Prussia proper against the tsar's attack. That, he said, would engage the king of England in fresh negotiations, embarrassment, and expense, whereas some complaisance shown would bring the tsar to allow anything that was desired. His help would be required, if Sweden must be reduced by force of arms, and the king of Prussia would even agree to take action against him, if he proved false. The conclusion was that Ilgen must report that nothing could be done for the tsar till after the treaties were signed, when the good offices of the king of Prussia could be employed with better grace and greater efficacy. The guarantee of Prussia proper Whitworth thought reasonable under equal reciprocal conditions, and agreed to propose it. He ends this long despatch by mentioning that Tolstoy had given in a copy of the Vienna treaty, that the Prussian Mardefeldt had been admitted to the Åland conferences, and that he would himself press on his business, though foreseeing intrigues, particularly in regard to the convention about the three villages, in order to gain time.⁵⁶

Stanhope, in reply, expressed willingness to put forward the reciprocal guarantee, but observed that the greater the fear of the tsar in this direction the more advisable it was to have the friendship of the republic and king of Poland.⁵⁷ At length on 22 July Whitworth received from the king of Prussia the following letter, written in his own hand:—

⁵⁴ 31 May, o.s., received 30 June, n.s. Frederick William noted to this: 'Ich werde fest halten und nicht mit England schliessen sonder Zaar. Sollen an König von England schreiben, das der Zaar die Freundschaft Englands sucht; ich Mediator sein' (Droysen, p. 264).

⁵⁵ *Ibid.* p. 265.

⁵⁶ 18 July.

⁵⁷ 23 July.

'Vous pouvez mander au Roy vôtre Maître que je signeray le dit traité, en donnant la déclaration comme Ilgen vous l'a dit. Je vous félicite que vous avez procuré l'amitié entre le Roy et Moy. Je suis persuadé que les suites d'amitié deviendront de jour en jour plus stables et solides, et que jamais point d'incidents entre le Roy et Moy viendront. Grâces à Dieu que l'affaire est faite.'⁵⁸

The same day at a dinner at Charlottenburg Rottembourg announced that he had orders to give a French guarantee for Bremen and Verden and Stettin. The Russian ministers were present, and everyone somewhat embarrassed. On his return Whitworth sent word that fresh difficulties raised by Ilgen in the morning had been withdrawn; that the instruments were being drawn up; that the king was about to send an envoy to St. Petersburg to justify his conduct, and that it was only asked that the treaties should be kept secret for a time.⁵⁹ Stanhope replied with congratulations, and said that orders now going to Stockholm would probably result in the success of the negotiation there. If that treaty were signed before those with Prussia, it would be difficult to obtain the cession of Stettin.⁶⁰

Suddenly everything was again upset. News from Stockholm, a strong Hanoverian protest against the restoration of Schwerin to the duke of Mecklenburg, ordered by the emperor, reports of misrepresentation at Vienna by George's German ministers, and interviews of Court Marshal Loos, who had arrived from Dresden, with Whitworth and Tolstoy, roused distrust and disquietude. Frederick William, conscious of having acted against his better judgment, committed to paper and to his archives, as a monition to his descendants to keep the friends they had and beware of false ones, a violent outburst against England and Austria.⁶¹ Opportunity to recant was afforded by the convention about the three villages. This had been referred to the department of state presided over by Grumbkow, and now there issued thence a report condemning it.⁶² Heusch declined to accept a fresh draft handed in, saying that it must be sent to Hanover. 'Voicy, My Lord,' wrote Whitworth, 'le véritable crise de nôtre affaire.'⁶³ Stanhope replied that he knew nothing of the matter himself: it concerned the electoral ministers. The treaties, he said, must be signed promptly, as the orders to Stockholm could not be kept

⁵⁸ 21 July, enclosed in Whitworth's of next day.

⁵⁹ 22 July.

⁶⁰ 27 July.

⁶¹ For this and other of Frederick William's ebullitions see Droysen, pp. 266-8. Yet he wrote: 'Wenn ich nicht schliesse, so bin ich überzeugt, werden sie mir schelmischer Weise auf den Hals fallen.'

⁶² According to Whitworth Grumbkow avowed, 'qu'il l'avoit bien sallée, et que nous trouverions des embarras où nous ne les attendions plus. Il n'a que trop bien tenu sa parole. C'est la première fois qu'on l'en ait pu accuser' (25 July).

⁶³ *Ibid.*

back. The queen of Sweden had agreed to cede Bremen and Verden and to renew the British treaty on the best terms that could be desired. The despatches had been shown to the Prussian minister, Wallenrodt, and his master should judge whether the cession of Stettin and its dependencies would not be greatly advanced by his signing.⁶⁴

But not only the convention stood in the way, a fresh draft of the Polish article was submitted from which, says Whitworth, everything essential was left out. It required a prior agreement with the king of Poland upon northern and Polish affairs, and his recognition of the king of Prussia's title, as it had been recognised by the emperor and other crowns. Whitworth flatly refused it. Another demand was that king George should oblige himself, both as king and as elector, to come to the king of Prussia's aid, if he were attacked in any of his dominions, with as many ships and men as should be necessary. Against this Whitworth required, as before, a reciprocal undertaking, in case the tsar, in his resentment, should arrest British subjects or their ships or effects. He forwarded the proposals to Hanover on 29 July, expressing the opinion that matters were being purposely delayed to see the result of the Russian attack on Sweden and of the Åland conferences.⁶⁵ He advised the conclusion of terms with Sweden in order to break off those conferences; '*alors vous aurez cette Cour.*' Next day he had another long discussion with Ilgen, and then an audience of the king. As a result he wrote that the king would sign, but that while the secret article guaranteeing Prussia was absolutely necessary to him, he could only give a reciprocal guarantee in general terms. And in the convention about the villages the king insisted upon express stipulations for freedom of passage and communication, and against the construction of lines or fortifications. He had been to inspect the place himself, and was convinced of the necessity of this. Other points might be accommodated, but this was essential.⁶⁶ After the audience Knyphausen came to say that, as soon as the treaties were signed, a little complaisance towards the king would entirely restore his confidence.⁶⁷

At Paris Stair's efforts to obtain a French guarantee of the

⁶⁴ 30 July.

⁶⁵ Such delay was actually advised by Ilgen; see Droysen, p. 269.

⁶⁶ '*Ich signiere nicht eher, als bis diese Punkte abgemacht sind*' (Droysen p. 270).

⁶⁷ Whitworth, 29 July to 1 August. He deplored the difficulties that were being made. '*On aura de la peine à s'imaginer que les petites chicanes touchant la Convention aient pu arrêter un traité de cette conséquence.*' He believed the king to be sincere, but suspected the ministers. Rottembourg, he said, was pressing him earnestly for concession, if only to remove pretexts for further delay. '*On pourra facilement se dédommager ailleurs.*' Concession would remove the king of Prussia's '*prévention*' for the tsar. Stanhope wished the Elbe islands, now being fortified by the Hanoverians in haste, at the bottom of the sea (Droysen, p. 269).

treaties were met by the argument that it could only be given after their conclusion, lest in the event of their failure, cause of complaint should be needlessly given to Sweden. Stair admitted the plea, but asked that full power to sign the guarantee might be sent to Rottembourg, in order that the treaties might not be hung up on this point, and Dubois undertook that this should be done.⁶⁸ A week later he wrote that the regent confessed to the utility of the Prussian treaties to break up the dangerous league which might be formed in the north; to encourage their being made, he would engage to furnish to Prussia subsidies for defence equal to those agreed to by the king of England, and to guarantee the Prussian acquisitions as soon as the peace ceding them was made with Sweden. Stair answered that in this way the guarantee would be refused instead of given, and the treaties would not be concluded. The regent objected that by giving the guarantee he would become, instead of mediator, a party against Sweden; also that the king of Prussia might inform the tsar of it, and the latter make use of the information for his own advantage. Where to Stair replied that the guarantee might be kept secret; and the regent then said that, sooner than let the treaty fall, he would give it on that condition.⁶⁹

On 5 August Stanhope was able to announce to Whitworth further concessions on the part of Hanover. The king, he said, was so desirous to conclude the treaties, that in spite of his surprise and displeasure at the new demands, he consented to them, and moreover, in the convention about the three villages, to the two principal conditions asked and to all that was not definitely incompatible with his honour. The Prussians, said Stanhope, could not now refuse to sign the treaties, and Whit-

⁶⁸ In a private despatch Stair (after expressing suspicions of intrigue between the courts of France and Spain) said that there appeared to be a belief, derived from De la Marck's statements, that the king of Prussia only wanted a mortgage of Stettin with a much smaller district than that appointed to him, and that Dubois had complained that the cession proposed made a peace difficult and impracticable for Sweden. He replied that if the king of Prussia would not accept the treaty for the cession of the larger territory, he certainly would not for a mortgage of the smaller; also that the king had assented to the former on account of the engagements in regard to Stettin entered into by the regent. Dubois passionately denying the existence of any such engagements, Stair replied that in that case the treaties might be let fall; whereupon Dubois, he says, flew into as great a passion on the other side, declaiming for half an hour in favour of them.

⁶⁹ 20 and 27 July. To Robethon Stair wrote: The king of Prussia must be restrained by treaty, yet, supposing that this were accomplished, the demand for the cession of Stettin would make agreement with Sweden almost impracticable, nor would Denmark be suited, because the king of Prussia, after the fall of Tönning, had guaranteed to the young duke of Holstein Sleswick as well as Holstein. 'Voilà bien des dangers à prendre un parti, de n'en point prendre pourroit être et dangereux et déshonorable.' On the whole, an understanding with Prussia was the most pressing, and its negotiation would gain time, while it would please France and satisfy her of British good faith (22 July; Stowe MS. 231, f. 320).

worth must insist upon their doing so, because the course of the negotiation in Sweden depended thereon. If they were not signed within eight days, he must break off and take his leave. But if successful, he might then hear what Tolstoy had to say, telling him that the mediation of Great Britain had been offered at Stockholm, and asking him whether it would be accepted by the tsar.

So much Stanhope had written when there arrived from Carteret the signed convention with Hanover, ceding Bremen and Verden in return for British naval succour, which Bassewitz and he had obtained. Inclosing a copy of it to Whitworth, Stanhope said that the king's desire to come to terms with Prussia was not lessened thereby, and that ratification would be suspended till that king's resolution was known. He must perceive the advantage of having Stettin guaranteed to him by Great Britain, France, Hanover, and later by the emperor. His undertakings were nominal, those of the king of England serious. An immediate answer must be given; and only three days from receipt of the present despatch could be allowed for it. The value of the concessions and the danger of further postponement were appreciated at Berlin. Ilgen confessed that it would be very unfortunate if the present opportunity of getting out of the war and keeping Stettin were lost. But still there was delay, for Frederick William still held by his word given to the tsar not to conclude peace without him.⁷⁰ Besides, he was unable, through illness, to attend to business for some days. However, after a seven-hours' discussion on 12 August the treaties and separate articles were settled with the ministers, and two days later, with certain modifications, they were signed, and ratified by the king, excepting the separate article concerning the king of Poland.⁷¹

" 'Leur plus grande difficulté parut être le parole de Roy de Prusse tant de fois donnée au Czar, et renouvelée même en dernier lieu, de ne pas conclure sa Paix sans luy' (Whitworth, 8 August).

⁷¹ Droysen (pp. 273-4) gives the following account: The king refused to sign the Polish article unless an undertaking were given that George would treat with the tsar. 'Ich bleibe bei meiner Resolution so fest wie Stahl und Eisen,' he wrote. Whitworth threatened that everything should be broken off and all engagements cancelled, said that in the treaty with Sweden the cession of Stettin was stipulated, and gave in a written declaration that as soon as the treaty was signed his master would enter into negotiation with the tsar. Then the king signed all but the article named, throwing the responsibility on his ministers: 'Ich bin krank und ich thue es ausser Verantwortung; verliere ich den Zaaren und komme unter Englands Joch und des Kaisers Joch, so werde ich die Herren Minister in grosse Verantwortung ziehen.' This reached the ministers just after they had signed. They wrote to the king in consternation that they had done nothing without his orders, and that the documents had been handed over; if the king would not have the Hanoverian alliance, for God's sake let him disavow it: they would gladly take the blame. But no reply came. If Whitworth really made the above statement about Stettin, it was untrue; nothing about this cession was said in the Hanoverian convention with Sweden: it was reserved for the later British convention.

But the Swedish convention with Hanover said nothing about a cession of Stettin; Carteret had been specially warned not to concern himself with Prussian interests, and the Swedes had no thought of it. In order that it might appear that the cession had been agreed upon with Prussia before the Swedish convention was received, Whitworth asked that the treaties might be antedated 4 August, on the plea that they would have been signed then, had not the king been ill. This was extremely repugnant to the Prussian ministers, for it was just at that time, he says, that they were giving the Russians the strongest promises not to conclude peace without them. But considerations of expediency prevailed.⁷² It was only asked that secrecy should be maintained for a time, in order that the engagements with the tsar should not be too suddenly repudiated. Another piece of cleverness, or of chicanery, on Whitworth's part was exercised in connexion with the Prussian arrears. Although he had been instructed to employ the prospect of their liquidation to further his other work, he pointed out that to pay them now would give the appearance of the treaties having been bought, and so postponed this difficult matter.

The British treaty⁷³ provided that the two kings should work in concert to secure their respective interests in the treaties to be made with Sweden, and that they would not make peace unless commerce in the Baltic were restored to the same footing as before the rupture, whoever might hold the ports. The king of Prussia guaranteed the protestant succession, and promised to send to Great Britain, if required, an auxiliary force of 6,000 infantry or their value in money, as desired, conditions being specified as to their transport, maintenance, and pay. The king of England engaged to guarantee the Prusso-Hanoverian treaty of even date, and to furnish to the help of Prussia, over and above his engagements under that treaty, 6,000 infantry, paid by himself, or their value in money at the rate of 10,000 Dutch florins for 1,000 men per month, or men-of-war up to 320 guns. A separate and secret article provided against the case of the king of Prussia, in consequence of the present treaties, being attacked in Prussia or in Pomerania. If that happened, the king of England would send him such succour, beyond that already specified, as should be sufficient to maintain him and repair his wrongs. And the king of Prussia undertook in return to maintain the present treaties against any who should attack the king of England to their

⁷² 'La plus grande utilité l'a emporté, et Monsr. de Ilgen travaille déjà dignement à trouver des prétextes pour colorer cette conduite, de sorte, My Lord, qu'il n'est pas à douter que nous n'ayons le but proposé pour cette négociation sans trop paroître l'avoir affecté' (Whitworth, 14 August).

⁷³ Original, with ratification by the king of Prussia, 15 September, Record Office, Treaties 410, copies, Treaty Papers 59.

prejudice, and to aid him in Great Britain or Germany in like manner.

The Hanoverian treaty⁷⁴ confirmed that of 1715 in regard to the provinces gained from Sweden and mutual succour. It specially guaranteed possession of those provinces, stipulating joint measures at the peace to obtain their cession. The king of Prussia undertook to satisfy the fifth article of 1715, and to hand over the documents of cession and send the necessary orders in regard to the three villages at the latest at the time of ratification of the present treaty. Not till this was done should the guarantees before-mentioned take effect. The two kings engaged to influence the queen of Sweden towards peace, to send plenipotentiaries to the congress of Brunswick to treat of it, and to do all they could to conclude preliminaries, the cessions named to be essential. They would make every effort in common to obtain the emperor's consent, and, to facilitate this, the king of Prussia declared that he had never taken with the tsar engagements contrary or prejudicial to the interests of the emperor or the empire, and never would. To re-establish a general peace in the north, so very necessary, the two kings agreed to concert measures with all their allies, and even with neutral powers who could be of help, and to leave nothing undone to attain so salutary an end. There were three separate and secret articles. The second was that of the British treaty, the first the Polish. The king of Prussia promised not to trouble the king of Poland in the peaceable possession of his crown and of his estates in Germany, nor to do anything against the rights of the republic, the king of Poland to undertake to refrain from any attempt against the other's incontestable right to the sovereignty of Prussia proper. When the king of Poland had given a satisfactory explanation of his Fraustadt letter, which impugned that sovereignty, then the king of Prussia would enter into negotiations with him to re-establish perfect intelligence. The king of England undertook to do all he could with the king and republic of Poland to obtain their recognition of the Prussian kingship, as it was recognised by the emperor and other crowns. The third separate and secret article arranged that the two kings would agree upon a sum of money to be paid to Sweden to facilitate a peace.

Ranke⁷⁵ allows that the British treaty was undeniably advantageous to Prussia. The newly-won provinces were guaranteed by England, while the protestant succession was a Prussian interest. He notes the saying of Stanhope that the treaty would be popular in England, for the fine fleet of Great Britain and the

⁷⁴ Copies, translation, and drafts, Record Office, Treaty Papers 59.

⁷⁵ *Preussische Geschichte*, v. 28.

fine army of Prussia could work together. Sunderland, congratulating on the conclusion of the treaties, wrote to Stanhope: 'The king is really now master of affairs in the north, and you will most justly have the honour of being the projector and finisher of the peace both in north and south.'⁷⁶

But all was not yet in accord. The Hanoverians were reluctant to destroy their fortifications on the Elbe; to do so would cost more, they said, than their construction. Also, they wanted to evade the sixth article of their treaty, which stipulated that neither party should conclude peace with Sweden unless the cessions were made. Orders were sent to Heusch on 21 August to declare that this article could not be executed *selon le pied de la lettre*. Whitworth, to whom, in consequence of Heusch's illness,⁷⁷ it fell to conduct his business, protested to Stanhope in strong terms. These and other matters drew from Frederick William further ebullitions of wrath. Rather than yield about the fortifications he would make war on Hanover, he said; to see a few hundred Hanoverian villages in flames would make him well again. The treaty would kill him; it was that that had made him ill.⁷⁸ Whitworth urged strongly that all possible complaisance, even in small matters, should be shown him.⁷⁹

After the treaties were signed, Whitworth obeyed his instructions to offer King George's mediation to the Russian ministers. He sought out Tolstoy, who replied to his overtures in general terms, alleging the change of circumstances since previous proposals of the kind had been made and his want of suitable instructions. Whitworth was equally guarded, adroitly parrying the searching questions put to him. But the offer, he says, gave much satisfaction to the Prussians;⁸⁰ and, indeed, it tended to counteract their suspicions of George's good faith.

A clause requiring the cession of Stettin was sent to Carteret for insertion in the British preliminary convention with Sweden, on which he was now at work. He was authorised to name as the

⁷⁶ 14 August o.s., Mahon II. App. ii. 84. And in similar language Craggs to Whitworth, congratulating him, Record Office, Foreign Entrybook 53.

⁷⁷ He died of the prevailing epidemic of dysentery on 2 September.

⁷⁸ Droysen, pp. 276-7. Really, he also was a victim to dysentery, which had invaded the palace.

⁷⁹ 17 August. He says, 'Le Czar ne l'a pas gagné par des avantages solides, mais par des caresses et petites complaisances, et on voit combien de peine il coûte de le retirer de ces liaisons.' In a private letter he wrote: 'This Prince is violent in his temper and sower'd by long Picques, and will be apt to relapse and repine at every little turn, if he is not used with some gentleness, till he be confirm'd in the good way and return'd to the former confidence he had in his Majesty. He is still suspicious that our friendship is not sincere,' &c. The king might do well 'to write a short letter in his own hand with a few oblidging fatherly expressions,' as though to a 'returning prodigal.'

⁸⁰ 17 August.

price to be paid by Prussia two million crowns, twice as much as George had agreed to pay for Bremen and Verden. Stanhope wrote to Whitworth that, if the Swedes were so unwise as to refuse the cession, and the king in consequence failed to obtain finally that of Bremen and Verden, he looked to the friendship of the king of Prussia to compensate him. So long as they remained closely united, no one would be bold enough to attempt to deprive them.⁸¹ The sum named was vastly in excess of what was contemplated at Berlin, but it had to be paid in the end, and 110,000 crowns for 'presents' besides. Later Stanhope wrote: ⁸² *Vous pouvez compter que la Suède n'aura de nous ni un vaisseau ni un sol sans qu'elle fasse au Roy de Prusse les cessions qui luy sont promises par nôtre traité.* Acceptance of the terms prescribed was obtained by Carteret, when at length the British squadron had sailed to the Swedes' relief. The preliminary convention with Great Britain was signed at Stockholm on 18 August, o.s. Stanhope wrote to Berlin that the action taken must be approved there, as the king had done everything possible for Prussia at the risk of spoiling his own business. Whitworth must obtain formal consent to the convention, as signed, and acceptance of the French guarantee of the Prussian treaties, in which it was hoped that Rottembourg would consent to name the provinces ceded, as desired. But that part of Carteret's despatches, which did not concern Prussia, must not be communicated, nor the convention published until mention of French and imperial mediation had been inserted in it. The sums of money required from Prussia had been greatly diminished by the free expenditure of Carteret and Bassewitz,⁸³ which need not have been incurred for the king's business only.

In answer to this Whitworth was able to signify the king of Prussia's consent to pay,⁸⁴ and that the Stettin article was signed.⁸⁵ So the Danes, he said, were too late,⁸⁶ and the Russians defeated. *La grande affaire étoit d'avoir l'article de la Suède approuvé.* Knypshausen had revealed the conclusion of the treaties to Tolstoy and

⁸¹ 19 August.

⁸² 31 August.

⁸³ In bribery of the Swedish senators.

⁸⁴ He inclosed letters of exchange for the 110,000 crowns with his despatch of 17 September. At the Record Office (Hamburg 99) is a holograph note from Carteret, dated Stockholm, 24 September o.s., to Michael David, the king's agent at Hamburg, desiring him to pay to James Cooke (the court of Sweden's banker) 'on this my first bill of exchange . . . 109638½ dollars Lüneburg currency in new drittels.'

⁸⁵ 'As a more authentick demonstration' of his gratitude, says Stanhope, the king of Prussia signed this article with his own hand, 'which I have now by me' (to Norris, 22 September, Brit. Mus., Add. MS. 28146). The autograph is preserved among the papers at the Record Office.

⁸⁶ General Meyer arrived from Copenhagen with proposals on 14 September. Whitworth reported him put very much out of countenance, when he was told plainly that the king had made his agreement with Sweden, that the king of Denmark had better do the same, and that if he got out of the war, keeping Sleswick, he would be lucky.

Golovkin, and was pleased at the commission, as their haughty bearing had mortified him. It was hoped that Tolstoy would go, as he had threatened to do. In fact the whole court declared their only apprehension to be that Admiral Norris would be too late to catch the Russian fleet.⁸⁷

Ratifications of the Hanoverian treaty with Prussia and of the convention about the three villages had reached Berlin on 20 and 21 August. But the Prussians desired to postpone exchange till those of the British treaty arrived from England. There was delay also about the French guarantee, though Rottembourg had received full powers to sign it. Whitworth had written that the Prussians did not seem keen in the matter, and that both they and Rottembourg desired it to be kept secret, which would hardly be possible for long.⁸⁸ But he would press the matter on, he wrote on 2 September, whether with the ministers or without them. Stanhope expressed surprise that difficulties should be raised, and hoped that when Rottembourg returned to Berlin nothing further would be heard about them. In any case Whitworth must sign with him the guarantee for Bremen and Verden; this was too important for the king to run the risk of losing it by delay.⁸⁹

The French guarantee was duly signed by Rottembourg on his return, but post-dated 23 September,⁹⁰ and not delivered till the 30th, when the ratifications of the treaties, after the return of the acts of cession in respect of the three villages from Hanover approved, were at last exchanged.⁹¹ In its final form of all it guaranteed the duchy of Bremen and principality of Verden to Hanover, and Stettin and the district between the Oder and Peene with the isles of Usedom and Wollin to Prussia, according to the stipulations of the treaties, so far as they contained nothing contrary to those of Utrecht and Amsterdam. If either monarch were troubled in the said dominions, the king of France undertook to interpose his good offices, and to furnish the same succour that they had promised each other reciprocally under the treaties.⁹²

The whole honour, said Whitworth (17 September), of 'laying the plan' and carrying it through was due to Stanhope. The vacillation and distress of mind of the king of Prussia had been terrible, but Knyphausen was 'an admirable doctor for a queasy conscience.' Now he was thoroughly pleased, 'and the good Queen

⁸⁷ 14 to 17 September.

⁸⁸ 17 and 19 August.

⁸⁹ 31 August.

⁹⁰ Whitworth, 17 September.

⁹¹ The Polish article was included (Whitworth, 30 September).

⁹² Copy in the form dated 23 September, Record Office, Treaty Papers 27. The treaty of Amsterdam was substituted afterwards for the Triple and Quadruple Alliances, in which, it was objected, Prussia had no part (Whitworth to Craggs, 30 September).

in the fulness of her joy.' Knyphausen was greatly to be commended.⁹³

The last delays were attributed by Whitworth to a secret negotiation between the Prussian and Russian ministers concerning Poland, which came to light by a curious accident. He desired from Stanhope absolute secrecy about it, lest Rottembourg, his informant, should be compromised and so be no longer useful. Ilgen had sent to Berlin from his country seat two packets: the one for Golovkin, the other for Rottembourg. His servant delivered them by mistake at the wrong addresses. Rottembourg, in bed and half asleep, opening his, found it to contain the draft of a treaty with Russia. He closed the packet again and sent it to Golovkin. Ilgen, on hearing of the accident, came in haste to Berlin and endeavoured to pledge Rottembourg to secrecy. The count replied that the only way was for Ilgen to confide in him entirely and show him the draft; if it contained anything against the king of England, he must, by his instructions, inform Whitworth. Ilgen then explained to him the whole, saying that the sole intention was to pacify the king against the insinuations of the prince of Anhalt and others: namely, that the new treaties were only intended to deceive and that he would be ruined if he separated himself from the tsar. The proposed treaty, he said, really signified nothing. He showed Rottembourg the draft, marked all over in the king's hand, and also copies of the four treaties between Russia and Prussia at present existing, three no longer of force, one unratified.⁹⁴ The new one consisted of eleven articles, all concerned with Poland, and designed in Whitworth's view to nullify the treaty of Vienna of January.⁹⁵

Whitworth, having gained (in the usual manner) a principal subordinate of Tolstoy, learnt that the treaty was being put into Russian, but that Tolstoy thought it unnecessary and only a shadow. The affair, he said, had come to light on the same day that the news of the Suedo-British treaty arrived; hence, probably, the con-

⁹³ 'He has very great credit here, has been particularly usefull in this negotiation, and thò I am far from answering for his principles, yet he is now entirely on our side, and a little openness will fix him more. You will find him very free against the Muscovites,' &c. He desired Carteret's assistance in obtaining for his court any papers which might give evidence of bad faith on the tsar's part.

⁹⁴ Namely, that of 1714, superseded; the Havelberg convention of November 1716, only a protocol, and not binding; one respecting Courland, void by the Prussian marriage not having taken place; and one signed by Mardefeldt, which the king of Prussia would not ratify on account of a secret article pledging him to place a large force on the frontier of Pomerania in case the emperor augmented his forces in Silesia and Bohemia. *Distinctions scholastiques*, Whitworth calls these explanations.

⁹⁵ Among other articles, the republic of Poland was to be prevented from acceding to that treaty, and 100,000 crowns were to be sent thither to hinder the assembly of a Diet or break it up, if assembled (extract enclosed by Whitworth). Droysen (pp. 279-80) gives the substance of the treaty, with the king of Prussia's diatribe against the king of Poland. He was suspicious, he remarks, of King George's support of the latter.

fusion exhibited and the reluctance in regard to the two million crowns and the rest. He had seen the king, and Knyphausen had undertaken to get the Polish article of the Hanoverian treaty signed. This was written on 17 September; two days later Whitworth saw letters from the king full of gratitude for his father-in-law's good offices, and one to Stanhope expressing strong approval, and inviting him to Berlin.⁶⁶ And the business of the treaties was shortly completed, as above said.

On 14 October Whitworth had the satisfaction of notifying the recall of Tolstoy. There is much in his despatches of this time about the latter's negotiations at Berlin and those of Schlippenbach at St. Petersburg. Neither was successful: the sympathy between the two powers was gradually replaced by distrust. On 2 November Whitworth wrote that Ilgen had returned to Tolstoy the draft treaty respecting Poland with alterations which deprived it of force and danger.

Once made, the alliance with Prussia was genuine. Her peace with Sweden was effected in due course on the lines laid down. Frederick William was separated from Peter the Great, and though he would not take up arms against him, as George desired, he employed threats, if the mediation offered were not accepted. A natural consequence of the treaties, which the Hanoverian ministers had always foreseen and emphasised, was an important addition to the various causes of complaint which in the year 1719 were alienating the old allies, Great Britain and Austria. But this does not concern our immediate subject; we have now to see by what means Hanover and Great Britain procured their treaties with Sweden.

J. F. CHANCE.

(To be continued.)

⁶⁶ The original with Whitworth's of 19 September.

Notes and Documents

The Origin of Belvoir Castle.

It is alleged that there is no mention of Belvoir Castle in Domesday, although a Belvoir priory document proves that it must have been in existence at the time of the survey. So far as direct mention is concerned, this, no doubt, is true; but its existence is clearly implied by the details of a Bottesford entry. Bottesford, which lies some four miles N.N.W. of the castle, was closely associated with its lords, and its church contains monuments of their heirs, the earls of Rutland. In Domesday it forms the subject of two separate entries in the account of Robert de 'Todeni's' Leicestershire lands, owing to the practice of its compilers in that county, which made them deal first with the manors in demesne and then with those on which tenants had been enfeoffed. Accordingly, at the end of Robert's demesne manors we find Bottesford, a nine-carucate manor, with two dependencies, Redmile and Knipton, entered immediately after. Now Redmile and Knipton 'grip' Belvoir, adjoining it on the N.W. and S. respectively.

Turning to the end of Robert's subenfeoffed lands, we find the other entry relating to Bottesford, where a pre-Conquest holding of twelve carucates has been broken up and divided into 'small holdings' (as I have termed them for convenience) between no fewer than ten foreigners (*francigenae*), of whom the names of six are given. I may have been the first to call attention to the meaning of such entries as this; they are found in connexion with a *caput honoris*, the castle of a great baron. A good example is found at Montacute Castle (Somerset), where the count of Mortain had allotted to four of his great tenants holdings of $1\frac{1}{2}$, 1, 1, 1 hides. In Herefordshire, round about the castle mound of Ewias Harold, we find nine of its lord's foreign *milites* holding agricultural land; there are also examples in Sussex. On the manor of Hooe, which heads the holdings of the count of Eu, we have nine of his *milites* enfeoffed with holdings so small that they barely exceed five hides in all, half a hide being the normal figure; and in the manor of

Washington, where William de Braose fixed his castle of Bramber, we have holdings of half, three-quarters, and one hide. It was, of course, natural enough that a Norman lord should provide not only quarters but a 'small holding' in the immediate neighbourhood of his castle for his chief household officers, among whom were two or three leading tenants.

Of the ten 'small holders' in Bottesford 'Odard,'¹ the first, was Odard de Hotot, founder of a family which figures prominently in the Belvoir cartulary,¹ and 'Baldric,' the second, was probably Baldric *dapifer*² and identical with Baldric who held manors of Robert in other counties. That Belvoir was then included in Bottesford and its dependencies, and that Robert was already there seated, with these foreign retainers about him, I hold to be certain.

The question of its pre-Conquest tenure is one of considerable importance in connexion with that controversy on castle mounds which has been proceeding for some years in this Review and elsewhere; for the keep of the lords of Belvoir stood on a mighty mound, and one seeks to know if it formed, before as after the Conquest, the head of a great honour.

In Leicestershire Domesday has ways of its own, and we must traverse its mazes warily. Robert de Toden's demesne lands begin with Horninghold, Blaston, and Medbourne, adjoining one another in the south-east, on the Northamptonshire border, and then jump to Harby, Barkstone, and Bottesford, close to one another in the extreme north-east of the county. Appended is the puzzling note, 'Has terras tenuerunt IIII taini Osulf, Osmund, Roulf, et Leuric, et quo voluerunt cum eis ire potuerunt.' Such a phrase is usually understood to point to joint holding; but here, I think, its meaning is wholly different. I believe that the outlying position of the first three places is due to the fact that they were part of the great but scattered estates of Osulf, son of Frane, whom Robert had succeeded in Northamptonshire as elsewhere—at Stoke Albany, for instance, just to the south of Medbourne. With regard to the other places, which were in the neighbourhood of Belvoir, it is certain that Leofric (*Leuricus*) had held—*et quo voluit ire potuit*—the twelve-carucate estate in 'Bottesford,' and the entry which immediately follows tells us that he had also been succeeded by Robert at Stathern (S.W. of Belvoir).³

I think, therefore, we may safely conclude that Leofric, the last named of the 'four thegns,' held the last named of the demesne manors, viz. nine carucates in Bottesford.⁴ But further on, turning

¹ *Manuscripts of the Duke of Rutland* (Historical Manuscripts Commission), vol. iv. ² *Ibid.* p. 110.

³ Domesday adds, 'Soca et saca pertin' ad Holesford' (doubtless in error for 'Botesford').

⁴ This would leave Harby and Barkstone as holdings for Osmund and Roulf.

to Lincolnshire, we find that Woolsthorpe, in that county, which immediately adjoins Belvoir on the east, had also been held by Leofric, whose successor, the lord of Belvoir, held it in demesne.

To sum up, we have found that Leofric held an important manor at Bottesford, with dependencies at Redmile, Stathern, and Knipton, his Woolsthorpe estate completing the chain round the site of Belvoir. This was a fairly compact holding, but of no great importance as things went then, nor do we find Robert succeeding him in other manors. We may conclude, therefore, that the important stronghold, raised in a position of military strength and bearing a Norman name, was the work of that powerful Norman Baron Robert de 'Todeni,' and not of those English lords of Bottesford whose estate formed but a small factor of his own far-flung fief.

J. H. ROUND.

William of Newburgh.

SOME light is thrown on the personal history of William of Newburgh by the last words of a charter in the Cotton MS. Vitellius E. xv. fol. 74 :—

hiis testibus, Bernardo priore de Nouo Burgo auunculo meo, *Willelmo canonico eius patre meo*, Roberto de Witefeld, *Willelmo de Mesnilhermer auunculo meo*.

The deed is a notification by William, son of William, son of Elyas, that the church of Waterperry (Oxon.) being now vacant, he grants the possession of it to Oseney Abbey, in confirmation of the original grant made by his father and mother. The date must be 1189, in which year, as the 'Annals of Oseney'¹ inform us, the abbey obtained the possession of the church of 'Peri.' Although among the twelve or twenty canons at Newburgh there might be more than one with the name of William yet the facts we know about the historian and this William fitz-Ellis harmonise so well together that there is good reason for accepting the identity of these two persons.

Our knowledge of William filius Elye is derived mainly from the Cotton manuscript already quoted. On folio 74 William son of Elyas *voluntate & precibus Emme uxoris mee* grants the church of Perye (i.e. Waterperry) to the abbey of Oseney. By the next deed

Emma de Peri, filia Fulconis Luvel, postquam dominus meus Willelmus filius Helie, ad religionem transiens, a me ex toto discessit, cum liberam & plenam potestatem hereditatis mee haberem, & donationes inde faciende ad me solam pertinerent, ratam habui & concessi & presenti

¹ *Ann. Mon.* iv. 43 (Rolls Series).

scripto confirmaui donationem quam Willelmus uir meus & ego, dum simul essemus, communi assensu fecimus ecclesie de Oseneia & canonicis ibidem deo seruientibus super ecclesia de Peri.

It is witnessed by Robert de Witefeld, who is not called *vicecomes*, by William de Meisnilhermer, *fratre meo*, by William, *filio meo*, by Bernard, canon of Notley,² and others. By the next deed she declares that the church having now become vacant by the death of Roger, the rector, she grants the possession of it to Oseney; among the witnesses is *magister Lisiardus*, whom we know to have been a canon of York.³ Then follows the deed of her son, witnessed, as we have seen, by his father and two uncles. There is also a grant by William filius Elye of half a hide of land in Waterperry, given with his son Henry, who was to be admitted a canon of Oseney.⁴ In the *Cartulary of St. Frideswide* we find that William son of Elyas, with the consent of Emma his wife, gave the church of Worminghall, Bucks, to the canons, and expressed a wish to be buried in their priory.⁵ To the Augustinian nuns of Goring William and Emma, with the consent of their children, gave half a hide of land in Waterperry;⁶ while Emma gave to Godstow Abbey a virgate in Oakley, Bucks, before 1198, but evidently after her husband had left her.⁷

From these deeds and from subsequent lawsuits,⁸ of which we have record, it is certain that William fitz-Ellis obtained, with his wife, who was the daughter of Fulco de Brai and granddaughter of Lovell de Brai, *alias* Peri, the manors of Waterperry and Tiddington, in Oxfordshire, Oakley and Worminghall, in Bucks, and Corfton, in Wilts; and there is no reason for thinking that he was himself of Oxfordshire or Buckinghamshire family. We learn also that he had brothers—Bernard, prior of Newburgh, and William of Meisnilhermer; for though the latter is described by Emma de Peri as her *frater* the word must mean ‘brother-in-law.’ If she had had a brother his name would have been Lovell or Brai, and she herself would not have been an heiress. If it is objected that by this supposition we have two brothers bearing the same name

² Nutley Abbey, near Thame, about six miles from Waterperry.

³ *Guisborough Cartulary*, ii. 56 (Surtees Soc.)

⁴ Cott. MS. Vitell. E. xv. fol. 74^r, where the following note is added: ‘Postquam uero predictus Willelmus filius Helye ad religionem transiit, predicta Emma uxor eius ad quam hereditas ipsa pertinebat, iudicio curie domini regis tertiam partem terre sue amisit. Qua amissione afflicta, pectiit a nobis aliquam relaxationem de predicta dimidia hida. Nos igitur . . . remisimus ei unam uirgatam.’

⁵ *Cartulary of St. Frideswide*, ii. 151 (Oxf. Hist. Soc.) By comparing charters 792 and 865, and by the help of Jaffé, it appears that William had a brother Robert, who died in or before 1172.

⁶ Oxon Charters, D. i. (1) (Bodl. Lib.)

⁷ *Godstow Cartulary*, i. 82 (Early Engl. Text Soc.)

⁸ *Rot. Cur. Regis*, i. 22, 23, 26, 352, 362 (Record Commission).

the answer is that this was not unknown in those days; for instance, William de Chesney, of Norfolk (*circa* 1170), mentions* that one of his brothers was named William. We can also approximately fix the time when William fitz-Ellis entered religion and in what year he married Emma of Peri; for there is a grant by Henry d'Oilly to Oseney Abbey, printed by Dugdale,¹⁰ where among the witnesses we find 'William de Meisnilhermer,' and in a similar confirmation by Henry d'Oilly's younger brother,¹¹ evidently of the same date, we find William de Meisnilhermer and also 'Willelmus filius Willelmi filii Elye.' The presence of Robert de Witefeld, *vicecomes*, among the witnesses proves that the date is before Michaelmas 1185. By that time, therefore, the father had retired from the world, and William de Meisnilhermer probably attested as the guardian of his nephew. Three years later the nephew must have been of age, as we find him appearing for his mother in legal proceedings in October 1187.¹² This would suggest that his father's marriage took place between 1160 and 1165. Further, that William fitz-Ellis was of Yorkshire family is indicated by the name of a canon of York among the witnesses, and especially by the name Meisnilhermer. There are three deeds which connect this name with Newburgh, in Yorkshire. About 1160-70 William de Meisnilhermer made a grant of land near Newburgh to that priory; he also was a witness to a similar grant by Philip de Mont Pinam;¹³ and the name is found in a charter by Roger de Moubray, at whose request the priory of Newburgh was founded.¹⁴

But if there is reason for connecting William fitz-Ellis with Yorkshire there is, on the other hand, some indication that the historian had special knowledge about Oxfordshire. In one place¹⁵ he speaks of a lay brother of the Abbey of Thame (*conversus de Thama*), who had the gift of prophecy, and after the death of Robert de Chesney (December 1166) prophesied that there would never be another bishop of Lincoln. We are told that the people of the neighbourhood at first had faith in the prophecy; then, on the election of Geoffrey in 1173, made light of it; but began to dwell on it once more, especially when he resigned in January 1182. The story reads as if the writer had been in the neighbourhood until 1182, and he speaks of Thame just as one would who resided at Waterperry, only five miles away; he forgets to add *abbathia de*, assuming that every one would know that Thame was an abbey as

* *Cartulary of St. John's, Colchester*, i. 180 (printed by the Roxburghe Society).

¹⁰ *Monasticon*, vi. 252.

¹¹ Cott. MS. Vitell. E. xv. fol. 8^v.

¹² *Ibid.* fol. 74.

¹³ *Hist. MSS. Comm.*: *Report on MSS. in Various Collections*, ii. 4 and 10.

¹⁴ *Hist. MSS. Comm.*: *Report on MSS. of the Duke of Portland*, ii. 4.

¹⁵ *Chronicles of Stephen, Henry II, and Richard I*, i. 154 (Rolls Series).

well as a town, so that he has deceived his latest editor, who thought that 'a converted Jew of Thame' was meant.¹⁶ The passage not only suggests that William was near Thame after January 1182, but also that he had gone away before June 1183, when Walter of Coutances was consecrated bishop, and the prophet must have lost his reputation. But this is very near the date when, as we have seen, William son of Elyas must have entered the priory of Newburgh.

In two other points the proposed identification is corroborated. We know that William of Newburgh was intimate with abbots and dignitaries of the church; and if William son of Elyas was the brother of Bernard the prior he would be in that position; for Bernard was a man of such eminence that he was recommended to Henry II for the post of archbishop of York in September 1186.¹⁷ Also the historian tells us that he had seen Godric, the hermit of Finchale;¹⁸ and among the deeds of Finchale Priory is a grant of 1188-96 witnessed by William de 'Maniheremere,' no doubt brother of the chronicler.

If we combine the evidence of charters and of his own history¹⁹ the following is the life of William of Newburgh: He was born, probably at Bridlington, in 1135 or 1136, his father being named Elyas, or Elyas de Meisnilhermer. He received part of his education at the Augustinian priory of Newburgh, founded in 1145. When he was between twenty-five and thirty he married an heiress, Emma de Peri, who brought to him more than four knights' fees, and their descendants, known as the family of Fitz-Ellis, continued at Waterperry for more than a century. In 1182 or 1183 he left his wife and entered Newburgh, where his brother was prior, and there fifteen years later he wrote his chronicle.

From contemporary history we can parallel his action in leaving his wife, even before his children were of age. In 1179 Gilbert de Monte, lord of Whitfield, in Northamptonshire, entered the monastery of Eynsham, leaving an heir only seven years old;²⁰ and about

¹⁶ *Chronicles of Stephen, Henry II, and Richard I*, ii. 816. Wykes (*Ann. Monast.* iv. 33) puts it clearly: 'fratre converso de Thame ordinis Cisterciensis.' It may be mentioned that this historian should be called Wyke, not Wykes; his seal, preserved at Christ Church, Oxford, represents the Virgin, with the following legend: 'TOMAM DE WICA REGE SVMMI REGIS AMICA.' In 1270 Oseney granted to Thomas de Wyke, 'clericus ecclesie de Castro Sancti Edmundi,' one mark a year, to be received at Oseney (Cott. MS. Vitell. E. xv. f. 255). In 1269 Thomas de Wyke, 'rector ecclesie de Castre (sic) Sancti Edmundi,' gave six cottages in Oxford to Oseney, and next year his large house as well (Oxon. Fines, file 9, no. 40), but he was to reside in it for life. In 1279 (*Hundred Rolls*, ii. 796) Thomas de la Wyke was occupying his *tenementum magnum*. It was subsequently called Elm Hall, and was opposite the north wall of the city, close to the castle ditch.

¹⁷ Benedict, i. 352.

¹⁸ *Chronicles of Stephen, Henry II, and Richard I*, i. 150.

¹⁹ See preface to *Chronicles of Stephen, Henry II, and Richard I*, i. xviii-xxv.

²⁰ *Rotulus de Dominabus*, p. 15.

1180 the father of Edmund le Rich of Abingdon, leaving wife and infants, entered the same monastery. We can also parallel his action in taking to a secular life after an education in a religious house. In the Cartulary of Oseney²¹ we have two agreements of the year 1187, by which Alured, chaplain of Norton, commits his two sons to the abbot of Oseney. The one was to receive food, clothing, and instruction, and when he was twenty-four years old was to decide whether he would become a canon or take to a secular life; the other was to have food and guardianship (*custodia*) for fourteen years, at the end of which period the monastery was to pay him 5*l.* when he went out into the world.

How William son of Elyas obtained the hand of such an heiress as Emma de Peri, who his father Elyas was, and where the family of Meisnilhermer resided remain to be discovered. William de Meisnilhermer is a witness to an early grant preserved at Durham,²² and the name occurs in two deeds in the *Guisborough Cartulary*.²³ The *Testa*²⁴ gives William de Meneherm as a holder of land in Northumberland.

H. E. SALTER.

An Unnoticed Charter of Henry III, 1217.

IN the manuscript known as the 'Liber Niger' of Christ Church, Dublin, ff. 162–81, there is a series of copies of statutes and kindred documents, ten in number, beginning with *Magna Carta* and ending with a Norman-French version of the 'Statutum de viris religiosus' of 1279. The manuscript was known to the Record commissioners, and they made some use of it in the first volume of the *Statutes of the Realm*, particularly in restoring the text of the Forest Charter of 1217.¹ But they do not appear to have observed that the second document of the series, following the Great Charter of John and preceding the Forest Charter of 1217, is a reissue of the Great Charter by Henry III; and, so far as I know, this document has not attracted the attention of any writer on the English charters of liberties. It is the purpose of the present article to give a short account of it.

In the 'Liber Niger' it is without title; but it is at once seen to be at least akin to the Second Charter of King Henry, printed in the *Statutes of the Realm—Charters*, p. 17. The preamble (f. 165) runs as follows:—

²¹ Cott. MS. Vitell. E. xv. fol. 183.

²² *Feodarium Prioratus Dunelmensis*, p. 134 (Surtees Soc.)

²³ Vol. ii. pp. 329, 335 (Surtees Soc.)

²⁴ *Testa*, p. 386.

¹ See the list of charters. In printing the 'Dictum de Kenilworth' (p. 12), the 'Statute of Westminster the First' (p. 26), and the 'Statutes of Jewry' (p. 221) the editors recorded some various readings from the 'Liber Niger.'

Henricus Dei gratia rex Anglie, dominus Hybernie, dux Normandie et Aquitanie, comes Andegaue archiepiscopis episcopis abbatibus prioribus comitibus baronibus iusticiariis forestariis vicecomitibus prepositis ministris et omnibus balliis et fidelibus suis presentem cartam inspecturis salutem. Sciatis quod intuitu Dei et pro salute anime nostre et animarum antecessorum et successorum nostrorum ad exaltacionem sancte ecclesie et emendacionem regni nostri spontanea et bona voluntate nostra concessimus et hac presenti carta nostra confirmauimus pro nobis et heredibus nostris in perpetuum de consilio venerabilis patris nostri Gwalonis tituli sancti Martini presbiteri cardinalis et apostolice sedis legati domini Walteri Eboracensis archiepiscopi et aliorum episcoporum Anglie et Willelmi Marescalli comitis Penbrokie rectoris nostri et regni nostri et aliorum fidelium comitum et baronum nostrorum Anglie has libertates subscriptas² in regno nostro Anglie tenendas in perpetuum.

Then follows the substance of the instrument, which need not be reproduced. It closely resembles the text of the Second Charter as printed. Variants are indeed pretty numerous, but most of them are of no account, consisting of transpositions of words, trifling omissions and insertions, and the like. The following however are of sufficient importance to deserve notice here: in art. 22 the words *et pueris*, omitted in the printed text, are found, as in Magna Carta and the Charter of 1225; art. 45 follows art. 46; and art. 47—consisting of two clauses, of which the first enjoins the destruction of adulterine castles, and the second states that the instrument is sealed with the seals of the legate and William Marshall—is wholly omitted. The charter concludes thus (f. 166v):—

Pro hac autem concessione et donatione libertatum istarum et aliarum contentarum in carta nostra de libertatibus foreste archiepiscopi episcopi abbates priores comites barones milites et libere tenentes et omnes de regno nostro dederunt nobis quintam decimam partem omnium bonorum suorum mobilium. Testibus prenomatis et multis aliis. Datum per manum venerabilis patris domini R. Dunholmensis episcopi cancellarii nostri apud sanctum Paulum Londoniis vi^o die Novembris anno regni nostri secundo.

The material differences between this instrument and the Second Charter of Henry III are not numerous, but they are of sufficient moment to preclude the belief that the two were issued on the same day. But it seems to be agreed that the Second Charter was 'put forth either on the occasion of the council at Merton on 23 September' 1217, as Blackstone supposed, 'or six weeks later at London, when the Charter of the Forest was granted,' i.e. on 6 November, as Mr. McKechnie maintains.³ Since our charter actually bears the date 6 November 1217 the suggestion

² Here the word *tenendas* is inserted, above the line.

³ Stubbs, *Select Charters*, 1895, p. 344; W. S. McKechnie, *Magna Carta*, 1903, p. 171.

is obvious that the Second Charter is an earlier document which was drawn up about Michaelmas. And this suggestion is confirmed by other considerations. In the first place, in the concluding article of our charter there is a definite reference to the Charter of the Forest. This might be expected if the latter was supplementary to the former and issued on the same day, the two together being equivalent to a republication of Magna Carta. The two charters of 1225, for example, refer each to the other. But any such allusion was impossible in a document set forth before 6 November 1217, the day on which the first Forest Charter was issued. And, in fact, in the Second Charter, as printed, no such allusion is found. And, again, it is worthy of remark that in several features the 'Liber Niger' Charter and the Forest Charter are in agreement, while the printed Second Charter differs from both. Such are the insertion of the words *iusticiariis, forestariis* in the preamble, and of *militibus* in art. 46; and such is the position of the saving clause (art. 46), before (as in both the charters of 1225) instead of after *Omnes autem* (art. 45). The 'Liber Niger' agrees exactly with the Forest Charter in the test clause; in the charters of 1225 it of necessity assumes a different form; in the Second Charter it does not appear at all. The Second Charter likewise has no dating clause; the 'Liber Niger' and the Forest Charter have such a clause and coincide with each other as to its form; the charters of 1225 differ from them by omitting the words *per manum* (-us), &c.

A word must be said about three striking peculiarities of our charter as compared with what we may now call the earlier charter of the same year. The first of these is the appearance of the words *spontanea et bona voluntate nostra* in the preamble. Hitherto it has been supposed that this phrase was first used in 1225, and there has been some discussion as to the purpose with which it was then substituted for the earlier *de consilio*. We now find it in 1217, and then not displacing *de consilio*, but standing beside it in the same instrument. Secondly, our charter has the clause, *Pro hac autem concessione*. It appears, therefore, that the charters of 1225 were not the first reissue of the Great Charter of Liberties purchased by a money grant. And, lastly, the injunction that the adulterine castles were to be abolished has disappeared. What is the significance of this fact? The true answer to the question may perhaps be suggested by the presence in the charter of the grant to which reference has just been made. It is not to be wondered at that the king's advisers should have demanded such a grant, though they had already raised money in other ways.⁴ For the expenses of government were at the time

⁴ Stubbs, *Const. Hist.* ii. 80; G. J. Turner, in the *Transactions of the Royal Historical Society*, N.S. xviii. (1904), 285.

very heavy. But it was natural that the grantors should insist on some concession in return. A reissue of the Charter was not sufficient, for that had taken place six weeks before, and no doubt the Forest Charter had been promised, or could be obtained without a grant. Is it possible that the withdrawal of the decree against adulterine castles was the price paid for the liberality of the nobles assembled at St. Paul's in November 1217?

But it must be admitted that in the way of this answer there lies a difficulty, which may even be regarded as an objection against the genuineness of the charter itself. For there can be no doubt that the charter which was sent to the sheriffs of the various counties of England in February 1218 did contain, as its final chapter, an instruction for the demolition of castles. The covering letter of the king directs special attention to it.⁵ If our charter is genuine the inference seems clear either that it was subsequently recalled or that the absence from it, in the 'Liber Niger' copy, of art. 47 is due to clerical error. In the latter case it is hard to explain why the charter was issued at all, or how its issue could have given occasion to a grant of a fifteenth.⁶

Are we, then, driven to the conclusion that our charter is, after all, a forgery? It is scarcely prudent for one who is not versed in such matters to attempt to discuss this question. In doing so obviously the first thing to be considered is whether, on the hypothesis that the document is not authentic, anything was to be gained by the fraud. But, leaving to others the task of suggesting motives for such a forgery, I content myself with mentioning, in conclusion, one or two facts which appear to me to tell against the supposition that we are dealing with a manufactured charter.

There is, of course, no question about the body of the charter, except in regard to the omission of art. 47. It is practically identical with the undoubtedly genuine printed charter. The work of the supposed forger must have consisted merely in introducing changes into the preamble and concluding paragraphs from some other source. Now, the phrase *spontanea et bona voluntate nostra* certainly occurs in the charters of 1225. But if that was the source from which it strayed into our charter why did not the forger go a little further? Why did he not bring the charter into yet closer resemblance to his model by striking out *de consilio*? Again, certain features of our charter might conceivably have been taken by a forger from the Forest Charter of 1217. The test clause is couched in the same terms in both. But then we must ask, if our test clause were really borrowed by a forger from the Forest

⁵ Rymer's *Foedera*, i. 150.

⁶ Mr. R. L. Poole has been good enough to point out to me that no writs for the levy of the fifteenth appear on the rolls, a fact which makes for the supposition that the charter was wit drawn.

Charter, why did he not copy from it the following clause as well? Instead of doing so he writes, *Datum per manum venerabilis patris R. Dunholmensis episcopi cancellarii nostri*, thus introducing a new name into the charter. And it must be remembered that Richard de Marisco, though he had been chancellor for some years, had been consecrated to the bishopric of Durham only four months before the supposed date of the charter.⁷ It is in favour of the genuineness of the document that he is correctly described. And, finally, if the 'Liber Niger' Charter was concocted by a forger who had before him the Forest Charter of 1217, it is at least strange that he should have omitted the clause, *Quia vero sigillum*, in which the absence of the great seal was explained. H. J. LAWLOR.

Notes on Athens under the Franks.

WITHIN the last three or four years a great deal of new material has been published on the subject of Frankish Athens. Professor Lámpros¹ has not only translated into Greek the *Geschichte der Stadt Athen im Mittelalter* of Gregorovius, but has added some most valuable notes, and more than a whole volume of documents, some of which had never seen the light before, while others were known only in the summaries or extracts of Hopf, Gregorovius, or Signor Predelli. He has also issued a review, the *Νέος Έλληνομνήμων*, devoted to medieval Greek history, of which three volumes have appeared. The French have gone on printing the *Regesta* of the thirteenth-century popes, which contain occasional allusions to Greek affairs. Don Antonio Rubió y Lluch, the Catalan scholar, has issued a valuable pamphlet, *Catalunya a Grecia*,² besides contributing a mass of documents from the archives at Palermo to the collection of Professor Lámpros; and the essay on the 'Eastern Policy of Alfonso of Aragon,' published by Signor Cerone in the *Archivio Storico per le province Napoletane*,³ contains many hitherto unknown documents dealing with the last two decades of Greek history before the Turkish conquest. I propose in the present article to point out the most important additions to our knowledge of Athens under her western masters which have thus been obtained. Of the condition of the Parthenon—'Our Lady of Athens'—on the eve of the Frankish conquest we have some interesting evidence. We learn from an iambic poem of Michael

⁷ Stubbs, *Reg. Sac. Angl.* 1897, p. 55.

¹ *Ίστορία τῆς Πόλεως Ἀθηνῶν κατὰ τοὺς μέσους αἰῶνας*. (Ἐν Ἀθήναις, Κ. Μυΐκ, 1904-6.)

² Barcelona, *L'Avenç*, 1906.

³ Vols. xxvii. 3-98, 380-456, 555-684, 771-852; xxviii. 154-212.

Akominátos, the Greek metropolitan of Athens, that he 'beautified the church, presented new vessels and furniture for its use, increased the number of the clergy, and added to the estates' of the great cathedral, as well as to the 'flocks and herds' which belonged to it. Every year a great festival attracted the Greeks from far and near to the shrine of the 'Virgin of Athens.'⁴

As was only to be expected, very little fresh light has been thrown on the Burgundian period. We learn however, from a Greek manuscript in the Vatican library, how Leon Sgourós, the archon of Nauplia, who long held out at Acrocorinth against the Frankish conquerors, met his end. Rather than be taken captive 'he mounted his horse and leapt from Acrocorinth, so that not a single bone in his body was left unbroken.'⁵ We find too, in a letter from Honorius III to Othon de la Roche, dated 12 February 1225, the last allusion to the presence of the *Megaskyr* in his Athenian dominions before his return to France; and we hear of two members of his family, William and Nicholas, both canons of Athens. The former had *gravem in litteratura defectum*, or else he would have been made archbishop of Athens; the latter is probably the same person whose name has been found on the stoa of Hadrian.⁶

The Catalan period receives much more illustration. We know at last the exact date at which it ended, for a letter of Jacopo da Prato (probably a relative of the Ludovico da Prato who was the first Florentine archbishop of Athens), dated Patras, 9 May 1388, announces that Nerio Acciajuoli *ebe adi 2 di questo lo chastello di Settino*.⁷ Thus Don Antonio Rubió y Lluch⁸ was right in his surmise that Don Pedro de Pau, who is mentioned as erroneously reported dead in a letter of John I of Aragon, dated 16 November 1387, held out in the Akropolis down to 1388. The Catalan scholar had shown that the brave commander of 'the Castle of Athens' had sent an envoy to John I, who received him 'in the lesser palace of Barcelona' on 18 March 1387, and who promised the *sindici* of Athens on 26 April to pay a speedy visit to his distant duchy.⁹ Don Antonio Rubió y Lluch also writes to me that Hopf was mistaken in translating *Petrus de Puteo* of the Sicilian documents—the official whose high-handed proceedings led to a revolution at Thebes in which he, his wife, and his chief followers lost their lives—as Peter de Puig.¹⁰ His name should really be Peter de

⁴ Lámpros, *op. cit.* ii. 729; Παπασσός, vii. 28.

⁵ Cod. Palat. 226, f. 122; Lámpros, *op. cit.* i. 421, note.

⁶ Pressutti, *Regesta Honorii III*, ii. 804; *Les Registres d'Urbain IV*, iii. 426; Δελτίον τῆς Ἱστορικῆς καὶ Ἐθνολογικῆς Ἐταιρίας, ii. 28; *Les Registres de Clément IV*, i. 214, 245.

⁷ Lámpros, *op. cit.* iii. 119.

⁸ *Catalunya a Grecia*, pp. 42, 53.

⁹ *Ibid.* pp. 50, 91.

¹⁰ *Geschichte Griechenlands*, in Ersch and Gruber's *Allgemeine Encyclopädie*, lxxvi. 18, 19; *Chroniques Gréco-romanes*, p. 475.

Pou, and it is obvious from the documents that Hopf's chronology of his career is also wrong. He is mentioned in a document of 8 August 1366 as already dead;¹¹ we learn that his official title was 'vicar of the duchies'—that is to say, deputy for Matteo de Moncada, the absent vicar-general—and he is spoken of as 'having presided in the duchies as vicar-general,' and as 'having presided in the office of the vicariate.'¹² We find too that the castle of Zeitoun or Lamia (*turrim Giffinam*) belonged to him.¹³ Roger de Lluria, who was at this time marshal of the duchies,¹⁴ is already officially styled as vicar-general¹⁵ on 3 August 1366, though the formal commission removing Matteo de Moncada and appointing Roger de Lluria in his place was not made out till 14 May of the following year.¹⁶ The new vicar-general held till his death, which must have taken place before 31 March 1370, when his successor was appointed,¹⁷ the two great offices,¹⁸ and, I think, the facts above stated enable us to explain the reason why no more marshals were appointed after that date. The office of marshal had been hereditary in the family of De Novelles, and Gregorovius¹⁹ pointed out that Ermengol de Novelles did not (as Hopf imagined) hold it till his death, but that Roger de Lluria was marshal before that event. I should suppose that Ermengol had been deprived of the office as a punishment for his rebellion against his sovereign;²⁰ that the conflict between Lluria and Pou proved that there was no room in the narrow court of Thebes for two such exalted officials as a vicar and a marshal; and, as Lluria, when he became vicar, combined the two offices in his person, it was thought a happy solution of the difficulty.

Professor Lámpros has published three documents²¹ from the Vatican archives which refer to a mysterious scheme for the marriage of a Sicilian duchess of Athens. The documents have no date, except the day of the month, and in one case of the week, and one of them is partly in cypher. But I think that I have succeeded in fixing the exact date of the first to 4 January 1369, because in 1368 22 December was on a Friday. This suits all the historical facts mentioned. The bishop of Cambrai, to whom the second letter is addressed, must be Robert of Geneva (afterwards the anti-pope Clement VII), who occupied that see from 11 October 1368 to 6 June 1371. The *dominus Anghia*, whose death has so much disturbed the diocese, is Sobier d'Enghien, who was beheaded in 1367; the *comes Litii* is his brother Jean, count of Lecce, and the latter's

¹¹ Lámpros, *op. cit.* p. 344.¹² *Ibid.* pp. 234-6, 238.¹³ *Ibid.* p. 344.¹⁴ *Ibid.* pp. 279, 350.¹⁵ *Ibid.* p. 335.¹⁶ *Ibid.* p. 283.¹⁷ *Ibid.* p. 315.¹⁸ *Ibid.* pp. 240, 292, 330.¹⁹ *Geschichte der Stadt Athen im Mittelalter*, ii. 156, note 1.²⁰ Rubió y Lluch, *Los Navarros en Grecia*, p. 476.²¹ *Op. cit.* pp. 82-8.

nephew, whose marriage 'with the young niece of the king of Sicily, daughter of a former Catalan duke of Athens,' is considered suitable, is Gautier III, titular duke of Athens, who had inherited the claims of the Brienne family. The lady whose marriage is the object of all these negotiations must therefore have been one of the two daughters of John, marquis of Randazzo and duke of Athens and Neopatras, who died in 1348, and whose youngest child, Constance, may therefore have been *xx annorum et ultra* at this period, and is known to have been single. She was the niece of King Peter II and cousin of Frederick III of Sicily, one of whose sisters is described as too old for the titular duke, which would of course have been the case in 1369. The allusions to Philip II of Taranto as still living also fix the date as before the close of 1373, when he died. Moreover Archbishop Simon of Thebes is known to have been in Sicily in 1367, and may have remained there longer. What was apparently an insuperable chronological obstacle, the allusion to *obitum domini regis Franciae*, disappeared when I examined the original document in the Vatican library and found that the last two words were *regie fameie*, that is, *familiae*. Possibly the allusion may be to Pedro the Cruel of Castile, who was slain in 1369. The letters then disclose a matrimonial alliance which would have reconciled the Athenian claims of the house of Enghien with the ducal dominion over Catalan Athens exercised by Frederick III of Sicily.

Don Antonio Rubió y Lluch has published two letters²² of 'the queen of Aragon,' wife of Pedro IV (not, as assumed by K. Konstantinides, Maria, queen of Sicily and duchess of Athens), from the former of which, dated 1379 and addressed to Archbishop Ballester of Athens, we glean some curious information about the relics which the cathedral of *Santa Maria de Setines* (the Parthenon) then contained, and of which the Italian traveller Niccolò da Martoni made out a list sixteen years later.²³ The Catalan scholar has shown too that some years after the Florentine conquest of Athens a certain Bertranet, *un dels majors capitans del ducat d'Atenes*, recovered a place where was the head of St. George, that is to say, Livadia.²⁴ The personage mentioned is Bertranet Mota, whose name occurs in the treaty with the Navarrese in 1390, as a witness to another document in the same year, in the list of fiefs in 1391, in Nerio Acciajuoli's will, and in a letter of the bishop of Argos in 1394. He was a friend of Nerio's bastard, Antonio; he had obviously helped the latter to recover Livadia from the Turks in 1393, and we are thus able to reconcile Chalko-kondýles, who says that Bajazet had already annexed Livadia,

²² Δελτίον τῆς Ἱστορικῆς καὶ Ἐθνολογικῆς Ἑταιρίας, v. 824-7.

²³ *Revue de l'Orient Latin*, iii. 647-53, 656.

²⁴ *Catalunya a Grecia*, pp. 57, 63.

with the clause in Nerio's will leaving that important fortress to Antonio.²⁵ More interesting still, as showing the tenacity with which the kings of Aragon clung to the shadow of their rule over Athens, is the letter of Alfonso V to the despot Constantine Palaiologos (afterwards the last emperor of Constantinople), dated 27 November 1444, in which the king says that he has heard that Constantine has occupied Athens, and therefore requests him to hand over the two duchies of Athens and Neopatras to the marquis of Gerace, his emissary.²⁶

Lastly, to our knowledge of the Florentine period Professor Lámpros has contributed three letters²⁷ of the Athenian priest and copyist Kalophrenás, which show that the attempts of the council of Florence for the union of the eastern and western churches found an echo in Florentine Athens. Professor Lámpros is puzzled to explain the allusion to τοῦ ἀφαντοῦς τοῦ μπαήλου in one of the letters. He thinks it alludes to the Venetian baily at Chalkis, who however had no jurisdiction at Athens at that period. If however, as he supposes, the correspondence dates from 1441 the phrase presents no difficulty. In that year Antonio II Acciajuoli had died, leaving an infant son, Franco, then absent at the Turkish court, and Nerio II, the former duke, returned to Athens. We may therefore suppose that 'the prince's baily' was the official who governed Athens till Nerio II came back. Professor Lámpros has also published a letter²⁸ of Franco, the last duke of Athens, to Francesco Sforza of Milan, dated 1460, from Thebes, which Mohammed II had allowed him to retain after the capture of Athens in 1456. In this letter, written not long before his murder, Franco offers his services as a *condottiere* to the duke of Milan. This was not his only negotiation with western potentates, for only a few days before the loss of Athens an ambassador of his was at the Neapolitan court.²⁹

One mistake has escaped the notice of Professor Lámpros, as of his predecessors. The date of the second visit of Cyriacus of Ancona to Athens, when he found Nerio II on the Akropolis, must have been 1444 and not 1447, because the antiquary's letter from Chios is dated *Kyriaceo die iv. Kal. Ap.* Now, 29 March fell on a Sunday in 1444, and we know from another letter of Cyriacus to the emperor John VI, written before June 1444, that he left Chalkis for Chios on *v. Kal. Mart.* of that year.

WILLIAM MILLER.

²⁵ Predelli, *Commemoriali*, iii. 206, 208; Hopf, *Chroniques*, p. 229; Buchon, *Nouvelles Recherches*, n. i. 257; Gregorovius, *Briefe aus der 'Correspondenza Acciajoli'*, p. 308; Chalkokondyles, pp. 145, 218.

²⁶ *Archivio Storico per le province Napoletane*, xvii. 480-1.

²⁷ *Op. cit.* ii. 747-52; *Νέος Έλληνομνημον*, i. 43-56.

²⁸ *Op. cit.* iii. 407-9; *Νέος Έλληνομνημον*, i. 216-24.

²⁹ *Archivio Storico per le province Napoletane*, xviii. 208.

*The Grocers' Company and the Aldermen of London
in the Time of Richard II.*

It has been commonly stated that in 1383 the Grocers' Company furnished no fewer than sixteen out of the aldermen of London. This assertion is primarily due to a misunderstanding of an entry in the Grocers' records, which have been printed in facsimile for the years 1345-1463 by the late Mr. J. A. Kingdon, sometime master of the company. There, under the year 1383, we find a list of members of the company, headed by a batch of seventeen names, bracketed together and distinguished by the designation 'aldermen,' this word being in a different handwriting and probably added in 1458, or even later. The entry (p. 58 of the manuscript records) runs as follows:—

1383.

Ceux sont les nouns des Grocers Vestuez en la Lyuere a Noel lan vij^e
Richard Seconde, Johan Haddeley et Johan Chircheman mestres esluz
pur le dit an.

Aldermen

Monsieur Nichol Brembre Chevalier.

Johan Haddeley.

Johan Warde.

William Baret.

Adam Carlille.

Adam Chaungeour.

William Venour.

Johan Hoo.

Hugh Fastolf.

Geffrey Cremyllford.

William Badby.

William Staundon.

Richard Aylesbery.

Johan Furneux.

William Eynesham.

Richard Preston.

Johan Chircheman.

Herbert, in his *History of the Twelve Great Livery Companies*, i. 307, reproduces the list in the following form, and it is his version which Bishop Stubbs,² Dr. Cunningham,³ and others have followed:—

¹ Mr. Kingdon appends the following note: 'These names are bracketed together and the word "Aldermen" written in the margin by the same hand seemingly that wrote the memoranda on pp. 42, 44, and 899 of the MS. vol.' We have therefore the evidence of Mr. Kingdon himself that this handwriting is apparently identical with writing on p. 899 (A.D. 1458). It cannot be earlier than 1458, and is possibly of still later date.

² *Constitutional History of England*, iii. 575.

³ *The Growth of English Industry and Commerce*, 'Early and Middle Ages,' p. 181, 4th ed., 1905.

Aldermen in 1888.

Sir Nicholas Brembre	John Hoo	Richard Aylesbury
Sir John Haddeley	Hugh Falstolfe	John Ferneux
John Warde	Geffrey Cremylford	William Evesham
William Barrett	William Badby	Richard Prestor
Adam Caryl	Sir William Standon	John Churchman ⁴
Adam Chaungeor		

The following table shows who were the aldermen elected at the annual elections in March 1883 and March 1884 :—⁵

	1883	1884
<i>Aldersgate</i> .	Henry Bamme, goldsmith .	Roger Elys, wax chandler
<i>Aldgate</i> .	William Staundon, grocer .	William Staundon, grocer
<i>Bassishaw</i> .	Richard Norbury, mercer .	Robert Warbulton, mercer
<i>Billinggate</i> .	William Anecroft, mercer .	William Anecroft, mercer
<i>Bishopsgate</i> .	William Shiryngham, mercer .	John Chircheman, grocer
<i>Bread Street</i> .	John Furneux, grocer .	Sir Nicholas Brembre, grocer
<i>Bridge</i> .	John Chircheman, grocer .	Sir William Walworth, fish-monger
<i>Broad Street</i> .	Thomas Rolf, skinner .	Adam (Changeour) de St. Ive, grocer
<i>Candlewick</i> .	Thomas Noket, draper .	John Hende, draper
<i>Castle Baynard</i> .	William Venour, grocer .	William More, vintner
<i>Cheap</i> .	John Boseham, mercer .	John Eston, draper
<i>Coleman Street</i> .	William Kyng, draper .	John Organ, mercer
<i>Cordwainer Street</i> .	John Heylesdon, mercer .	Henry Vanner, vintner
<i>Cornhill</i> .	William Baret, grocer .	Sir John Philippot, grocer
<i>Cripplegate</i> .	Robert Warbulton, mercer .	Adam Bamme, goldsmith
<i>Dowgate</i> .	Richard Aylesbury, grocer .	Richard Preston, grocer
<i>Farringdon</i> .	John Fraunceis, goldsmith .	John Fraunceis, goldsmith
<i>Langbourn</i> .	Geoffrey Crymelford, grocer .	Geoffrey Crymelford, grocer
<i>Lime Street</i> .	Sir Nicholas Twyford, goldsmith	John Hadle, grocer
[<i>Portoken</i> (ex officio)]	The Prior of Holy Trinity, Aldgate	(William de Rysing)]
<i>Queenhithe</i> .	Henry Vanner, vintner .	Thomas Welford, fishmonger
<i>Tower</i> .	John Shadeworth, mercer .	Hugh Fastolf, grocer
<i>Vintry</i> .	Thomas Cornwaleys, goldsmith	Thomas Cornwaleys, goldsmith
<i>Walbrook</i> .	William Olyver, skinner .	John Sely, skinner

At Christmas 1883 therefore the actual number of grocers who were members of the court of aldermen was eight, including the mayor, who was not an alderman of a ward, but of course presided in the court in virtue of his office.⁶ In the following year there were nine. The writer who inserted the word 'aldermen' in our first list simply included all the persons named who had at any time held that office.

I append a table showing the number of representatives of the

⁴ It will be seen that Herbert, apparently by accident, omits the name of W. Venour and hence gives the total as sixteen. The knightships here attributed to Haddeley and Staundon are imaginary; in no single entry in the various original records at Guildhall, nor in their respective wills proved in the Prerogative Court of Canterbury, is either of them described as knight.

⁵ I have adopted the spelling of the records at Guildhall.

⁶ Sir Nicholas Brembre was mayor from October 1883 to October 1886; during the first five months of this period he was not an alderman of a ward. Mr. Round (*Dict. of Nat. Biogr.*, s.v.) implies the contrary.

various companies returned each year during the period of annual elections (1877-1894). The number of wards at that time was twenty-four, one of which (Portsoken) did not take part in these elections and was not represented by a member of one of the companies, its alderman *ex officio* being the prior of Holy Trinity; hence the number of elective aldermen was twenty-three. As the period includes that of the struggle for civic supremacy between the victualling guilds represented by the Fishmongers, Grocers, and Vintners on one side and the non-victualling guilds represented by the Drapers, Mercers, and Goldsmiths on the other (the former under the leadership of Brembre and Philipot and the latter under that of Northampton and Twyford), this list may not be without interest to the historical student.

	Mercers	Grocers	Drapers	Fishmongers	Goldsmiths	Skinners	Ironmongers	Vintners	Woolmongers	Waxchandlers	Armourers	Broderers	Company not known	Election not recorded
1877 .	3	3	3	3	1	2	0	1	0	1	0	0	1	0
1878 .	5	7	2	3	3	1	0	2	0	0	0	0	0	0
1879 .	2	6	5	5	1	2	0	0	0	1	0	0	1	0
1880 .	3	7	2	5	3	1	0	2	0	0	0	0	0	0
1881 .	4	4	3	6	2	1	0	1	0	1	0	0	1	0
1882 .	2	4	4	6	1	3	0	1	0	0	1	1	0	0
1883 .	7	7	2	0	4	2	0	1	0	0	0	0	0	0
1884 .	3	9	2	2	3	1	0	2	0	1	0	0	0	0
1885 .	5	7	1	3	1	1	0	2	0	1	1	0	0	1
1886 .	5	8	2	2	1	2	0	2	0	1	0	0	0	0
1887 .	4	8	2	2	1	2	0	2	0	1	0	0	0	1
1888 .	4	6	2	2	3	1	0	2	1	0	0	1	1	0
1889 .	4	6	2	2	4	1	0	1	1	0	0	0	1	1
1890 .	4	6	2	3	4	0	0	1	1	0	0	0	2	0
1891 .	5	5	1	3	3	1	0	2	1	0	0	0	2	0
1892 .	6	5	1	2	4	1	1	2	1	0	0	0	0	0
1893 .	7	6	2	1	2	1	1	2	0	1	0	0	0	0
1894 * .	6	4	3	3	3	1	1	2	0	1	0	0	0	0

To these should be added the following mayors, who at the dates indicated were not aldermen of wards, but *ex officio* presided at the court of aldermen :—

March 1877 to March 1878	. N. Brembre, grocer.
March to October 1879	. J. Philipot, grocer.
October 1879 to March 1880	. J. Hadle, grocer.
March to October 1881	. W. Walworth, fishmonger.
October 1881 to March 1882	} . J. de Northampton, draper.
March to October 1883	
October 1883 to March 1884	. Sir N. Brembre, grocer.
March to October 1892	. J. Heende, draper.
October 1892 to March 1894	. J. Hadle, grocer. ⁸

ALFRED B. BEAVEN.

* The increased total of 24, exclusive of Portsoken, in 1894 is due to the division, which then took effect, of Farringdon into two wards.

⁸ The strength of the respective companies in the court of aldermen was modified

Legal Proofs of Age.

IN the January number of this Review, Mr. R. C. Fowler gave instances of evidence received as proof of age, which it is impossible to believe to be genuine. His examples are taken from proofs of age made in Essex in the years 1423, 1424, and 1425. That the practice of offering merely formal evidence was common at an earlier time than this is shown by instances taken from proofs of age made in Northumberland, as early as the beginning of the fourteenth century.¹

The age of Robert Bertram was proved at Newcastle-upon-Tyne, 12 April 1328,² and that of David de Strabolgi, earl of Athol, was proved at the same place, 2 April 1330.³ The former was born and baptised at Bothale, 24 March, 1307, and the latter was born at Newcastle and baptised at the church of St. Nicholas, 1 February 1308. Robert de Milneburn gave evidence that his father died on both these occasions; moreover, he saw the baptism of David de Strabolgi through going to Newcastle to buy wax for lights at his father's funeral, and he saw the baptism of John de Cramelington at the chapel of Cramlington, 2 November 1313,⁴ as he was returning from Newcastle on the same errand after the death of his uncle. At the proofs of age of Robert de la Leygh in 1328,⁵ of David de Strabolgi in 1330,⁶ and of John de Cramelington in 1335,⁴ three different witnesses gave as evidence the death of their sister, in each case named Isold, recorded in the calendars of the three churches where the children were baptised. Three of the other witnesses received a bond, in each case for six marks, for horses sold to them by Peter de Morpath, horse-dealer, the bonds being written in the churches when the baptisms were taking place, that is, in the church of South Wearmouth in 1306, in St. Nicholas's church, Newcastle, in 1308, and in St. Mary's chapel, Cramlington, in 1313.

in the course of certain aldermanic years by the following changes at bye-elections to fill vacancies from death or other causes:—

1382–1383. An ironmonger succeeded a fishmonger.

1384–1385. A skinner succeeded a grocer.

1385–1386. A vintner succeeded a grocer.

1387–1388. Two goldsmiths and a woolmonger succeeded a mercer, a draper, and a grocer.

1389–1390. A person whose company does not appear succeeded a skinner.

1391–1392. A grocer succeeded a woolmonger.

¹ Full abstracts of these documents have been communicated by Mr. J. C. Hodgson to the Society of Antiquaries of Newcastle-upon-Tyne; those of the reign of Edward III will appear in *Archæologia Aeliana*, probably in series iii. vol. iii.; and the later ones have been printed in vol. xxii. (new series) of the same publication.

² *Inquisitio post mortem*, appendix, 2 Edward III, no. 12.

³ *Ibid.* appendix, 4 Edward III, no. 5.

⁴ *Ibid.* appendix, 9 Edward III, no. 19.

⁵ *Ibid.* appendix, 2 Edward III, no. 19.

⁶ *Ibid.* appendix, 4 Edward III, no. 5.

A particularly striking instance of the untrustworthiness of much of this evidence is furnished by proofs made at Newcastle in the reign of Henry VI. The age of Robert Gabefore was proved in the Guildhall, 20 June 1444,⁷ and that of John Orde, 28 April 1446.⁸ Robert was found to have completed his twenty-second year in August 1443, and John in November 1445. Thus there was a difference of two years and three months between the dates of their respective births and baptisms. The witnesses were the same in the two cases, except that John Musgrave, who was in the church at the time of John Orde's baptism, does not appear in the earlier proof, but his place is taken by John Clerk, who gives the same evidence and may well be the same man. Each witness gives the same evidence in the two proofs. Joan, daughter of Edward Bartram, and John, son of William Medecroft, were both born in August 1421, and also in November 1423; Katharine, daughter of Robert Laverok, was married to John Whitehede in All Saints' church, Newcastle, in 1421, and again to the same man in the church of St. John the Baptist in 1423. On both occasions, the Tyne overflowed and flooded the house of John Raa, and Robert, son of Robert Swynburn, was wounded in the arm by Nicholas Horton. History repeats itself, indeed, but not so literally as this. The only variation in the two sets of evidence is that in 1421 John, son of John Lytster, was betrothed to Joan, daughter of John Catour, in the church of All Saints, while in 1423 John Lytster himself was betrothed to her in the church of St. John the Baptist, the age of the witness showing that in the second case it is not the son who gives evidence. Most of the witnesses are a few years younger in 1446 than in 1444.

M. T. MARTIN.

William Farmer's Chronicles of Ireland.

PART II.

FARMER'S *Chronicles of Ireland* from 1594 to 1613 have a twofold value. The first portion, which extends from the beginning of Sir William Russell's government to practically the termination of Mountjoy's, offers a fresh picture of the wars of the last and, in Ireland, the most stormy decade of Elizabeth's reign. The second presents an account of the first decade of James I, with more particular reference to the services of the lord deputy, Sir Arthur Chichester, of whom the author of the *Chronicles* was a protégé. Together the twenty years' annals fill the gap in the narratives printed in *Desiderata Curiosa Hibernica* between Captain Thomas Lee's memorandum on the government of Sir

⁷ *Inquisitio post mortem*, 22 Henry VI, no. 2.

⁸ *Ibid.* 24 Henry VI, no. 52.

William Fitzwilliam, which terminated in 1594, and Farmer's own chroniculary discourses for the years 1612-1615. Both sections of the narrative are conversant with great events pregnant with far-reaching consequences. The first includes the wars with Tyrone, the Spanish expedition to Munster, and the final reduction of Ireland. The second embraces the flight of the earls, Sir Cahir O'Dogherty's rebellion, and the plantation of Ulster. In relation to the earlier period Farmer's work provides at once a fresh version of the incidents related so fully in *Pacata Hibernia*, in Fynes Moryson's *Itinerary*, and in O'Sullivan's *Historiae Catholicae Ibernicae Compendium*, and the estimate of one who was in some degree an actor in and occasionally an eye-witness of the events he relates. In reference to the later period it supplies a kind of parallel version of much of Sir John Davies's *Discovery*, and at the same time gives a fresh narrative of episodes for which we have hitherto mainly depended on the often bald and unsatisfactory evidence of the State Papers.

These annals have apparently remained unknown to the generality of students of the important period of Irish history to which they relate. The manuscript was utilised by Mr. S. R. Gardiner in his chapter on the 'Pacification of Ireland' in the first volume of his *History of England, 1603-1612*; but, though it adds some useful facts and many graphic touches to our knowledge of a somewhat tangled story, it has not been drawn upon by any other writer. Mr. Bagwell, in those admirable chapters of *Ireland under the Tudors* which provide, perhaps, the fullest account yet written of Irish affairs in the last years of Elizabeth, makes no mention of this portion of Farmer's historical remains. Nor are they referred to in the authorities on the Tyrone wars so carefully collected in the preface to Dr. Matthew J. Byrne's recently published translation of O'Sullivan's book.

C. LITTON FALKNER.

Elisabeth the Virgine Quene and Flower of Christendom that hathe bene feared for loue and honoured for virtue, beloued of hir subiects, and feared of hir enemyes, magnified among princes, and famozed through the world for justice and equitie, being now called for by that greate prince the Lord and king of heaven and earth to giue accompts of hir stewardship before his Maiestie, hathe nowe upon the 24 daye of Marche being the laste daye of this yeare 1602, taken hir leaue of this corruptible world and of the vaine pompe and glorie of the same, whearin she neuer delighted, further then accordinge to the rule of princelie modestie, seasoned with virtue and maiestie and is nowe, no doute ascended up into the highest heavens, thear to behold the face of hir Omnipotent Creator, and to raigne with him in eternall blisse for euer and euer. Hir age from the daye of hir birth was 69 yeaes, 7 monthes and two dayes. The continuance of hir raigne was 44 years 4 monthes and 15 dayes.

The Lord Mountioye that hitherto held his place in Ireland by the

name of Lord Lieftenant that name nowe ceaseth upon the death of the Quene, for all his authoritie disceased at once with hir, but the ancient custom in Ireland is, that the Councell in such extremitie, may by a prerogative allowed unto them make choyce of a Lord Justice, and him they chose, and so he remayned untill further directions came from the kinge.

Our most gracious soueraigne that was, Elisabeth, late Quene of England, France, and Ireland, disceased, upon the 24th daye of marche upon the selfe same daie between the hours of 11 and 12. at noone in anno 1602: upon which day, between the hours of 11 and 12 of the clock at noone in the above mentioned yeare accordinge to our ecclesiasticall computation James, king of Scotland, and the sixth of that name in Scotland, with the consent and assent, of the Lords Spirituall and temporall, as well those of the preuie Councell in England, as others, together with the lord maior of the cittie of London, and his brethrene the aldermen, and comenes in great numbers who resorted to the crosse in Cheapside and there was solempnelie with sound of trompets and greate reioycing proclaimed king of England, France, and Ireland, lineallie discended from Margaret eldest daughter of king Henry 7. and among he kings and quenes that haue swayed the septres in England the 24, and in Ireland the 20.

And he began this his raigne in the yeare.

firste	From the worldes Creation, after Buntingus	5569
	From the universall Deluge	3918
	from the first inhabitation of Ireland	3618
	from the making of the regall Chaire in Westminster about	3085
	From Brutus his arivall in England	2719
	From building the famous cittie of London	2709
	From building the cittie of Rome	2351
	From the Incarnation of Christ	1602
	From William the Conqueror of England	586
	From Hen: 2: the Conquerour of Ireland.	482
	From his owne birth daye and coronation in Scotland almoste	86

Nowe proclamations weare sent into Ireland to be proclaymed thear, as before had bene done in England and a patente sent to the Lord Mountioy to be his highnes deputie generall in the kingdom of Ireland, and he tooke his othe in the behalfe of the kinge upon the 9. of Aprill. and also published the proclamation in the cittie of Dublin with greate ioye and solemnitie. Likewise the proclamations were dispearsed throughout the whole kingdom to all the citties and corporate townes in Ireland to be likewise published which was performed uerie willinglie in mannie of them.

But such as wear sent into the prouince of Munster, there was no greate haste made in publishing some of them: for the citties of Waterforde, Limbric, and Corke made some douttes of the Quenes death, or if she were dedd who should be kinge, and with many other friuulus delays .

they deferred the tyme and would not publish the proclamations by anie meanes.¹

They crossed and blotted out the x. commandements, and all other sentences of Scripturs that weare written in the churches, they burnt and tore the Bybles and Bookes of Comon prayer: chieflie in the cittie of Waterford, whear thear was one Captin Nycholas Strang that surprised the cathedrall church of Waterford and entered into the vestrie; and into the house of Master John Quade that was channccellor of the sayd church, and brought forth all the bybles and Bookes of Comon Prayer and other dewinitie bookes and made a fiar at the crosse in the church yeard whearin he burned all those bookes to ashès.

Now came abroad in open shewe the Jesuites, seminarie priests, and friars owt of euerie corner, and walked up and downe in euerie cittie and corporation, Nowe they began to alter the churches and religion, bringing forth old rotten stockes and stones of images setting them up in their churches.

Nowe they began to goe about in procession in euerie cittie and towne, myselfe did see in the cittie of Corke upon Good Fridaye a procession whearin the preestes and friars came out of Christes Church Anno 1603. with the maior and aldermen: and the best of the citizens, April. 12. going along the streets from the one gate to the other singing in procession and about 40. ynge men counterfeiting to whip themselves, I must needes saye counterfeitinge, because I sawe them, (although bare footed, and bare leged), yet their breeches and doublets were upon them, and ouer that agayne fayr white shirts, euerie one haueing a counterfeite whip in his hand, I saye a counterfeite whip, because they were made of litle whit stickes, euerie one haueing 4: or 5: strings made of softe white lether, neyther twisted nor knotted, & alwayes as theyr chiefe preest ended some verses which he songe in Lattin, theyse counterfeits would answeare

¹ The following note is here interpolated by Farmer on a separate slip:—

'In reading of histories I haue founde that the virgin St. Warborough was borne in the cittie of West Chester. And that in honour of hir, the citizens of that cittie did build a church in the cittie of Dublin in Ireland at their owne costes and charges, which was dedicated unto hir, and to this day is called St. Warborough's Church. This church in anno 1801. was burnt by casualtie of fier and was immediatlie builte up agayne at the charges of the parishioners that liued in those days: but in these days the said church, (by the fall of the steeple) was broken downe, so that it laye waste almost three years and the parrishioners weare allmost owt of all hope that euer it shoulde be builte agayne, but at the laste it pleased God to styre up the minds of some well disposed people having a religious zeale to seeke meanes for the building thearof, so that in this year 1608 John Lanye and Nycholas Heyward being the churchwardens together with the consente of the parrishioners began to make collections of monie from euerie man in the parishe according as he was willing to bestowe, beydes these, other well disposed people of other parishes, seing them to begin that godly worke gaue willinglie both monie, tymber, slate or tyles, glasse and other things necessarie towards the reedifying of the sayd church, which monie and other things those 2: the sayde churchwardens collected dilligentlie and with great labour and care sett forwards the work and not only bestowed those voluntarie giftes of monie and other things which they collected, but also all the rents and arrearages and other perquisites belonging to the church itselfe, as also, more than fortye pounds out of theyr owne purses as it dothe appeare by their accompts which I haue seene and reved, and so the sayd Church of St. Warborough in Dublin was reedified agayne the second tyme and was made more fayre and beautifull than ever it was before.'

Miserere Mei and thearwithall layd about their shoulders sides and backes with those counterfeit whips, but I neuer sawe one drop of blud drawne, therfor theyr superstition is farre worse than the Spaniards, who do use such like whipping, but yet with verie sharp whippes upon the bare skyn, that the blud doth follow in aboundance, which they do in a blinde zeale, and yet it is farr better then these counterfeits did thear.

Don John de Aguila and Don Alonso d'l Campo being departed, from Ireland with their soldiers, thear yet remayned in the Castell of Dunbye about thre score Spaniards that either upon some stubborn opinion of their own wold not go with their comandars or upon fayre sinister perswasion of the Irish rebells.

Nowe also began the cittizens of Corke to enter into some strange actions, for they kepte theyr gates with a stronge garde night and daye. The porter when he went too and froe with the kayes was garded with 100. soldiers of the towne. They planted a peece of great ordinance upon the south gate of the cittie, they committed Allen Apsley the chiefe comisarie of the victualling storehouses and one Blakney his deputie to prison, and distributed some part of his Maiesties store of victuals to theyr owne towne soldiers, they approached the King's storehouses of armorie and munition for the warres, and committed Mychaell Hughes that was the chiefe clarke of the munition, to prison, and deliuered out of theyr owne soldiers such things as they listed, thei discharged a culuering of the kings against Shandown Castell which stood without the towne, the Ladie Carewe wife to the Lord president being thear, in the Lord president his absence thei discharged sundrie peeces at the bishops house and killed one that was comming from thence: they did some tyme skyrmyshe with the kings soldiers, they brake down a new gate of masones work which was made to the fort at the south gate of the cyttie. and other lyke prancks they played which greatly savoured of treason.

In this mean space Sir George Thornton, knight, prouost marshall of Munster, being thear gouuernour of the towne in the absence of the lord president often tymes moued the maior of the cyttie to publish the proclamation for the kinge; [but] they made still delays saying they would kepe the town for the king and would proclaim him when they did know who shold be king: (the onely purpose of this towne and of Limbrick was to staye the proclamation till they shold see what the cittie of Waterforde wold doe, for they meant to do the like.) So Sir George Thornton called Sir Charles Willmot and the rest of the captaynes with their companies, and into a fayr plaine without the towne one the north side: thear they proclaimed King James as appertayned with sound of trumpets, drums, and vollies of shott, and such other kind of reioyceing as was fitting for men of warre, and so the soldiers weare returned euerie man to his quarter; and about three or four days after the maior, the recorder, with the rest of the cyttizens proclaymed King James within theyr cyttie making a kind of shewe of reioycing. The cyttizens of Limeric dyd in all poynts as did the cyttie of Corke concerning religion, churches, and images, but dealte no further, and seing Corke to have proclaymed kinge James, they of Limeric: did the like also.

The Lord Deputie hearinge of the obstinacie of these citties of Munster, rayased an armie of 2000 soldiers and went towards Waterforde.

Nowe when the cittizens heard of his coming, they shut up their gates ; and began to arm themselves for deffence, and grewe into a great mutenie among themselues, for some wold have the gates sett open to lett in the Lo: Deputie, other some wold not but said they wold kyll him that wold open them ; and in this hurly burlie two of the Lukars vidz. Andrewe Lukar and George Lukar and John Fagan went up, upon the markett crosse of Waterford, and thear with lowd voyces cried to the people, that they shold fight and venter theyr liues for the king of Spayne, who was their Catholic King, and that they shold not suffer any Scottish man to raigne ouer them, these men weare drawne into these outrages by a yonge man borne in Cloane-mell called amonge them Doctore White, and by other Jesuits and by seminarie priestes: the said Docter White ranne into the thronge of the people with a crucifix in his hand crieing out and sayeing, this is the God that you must fight for, with manie such lik seditious speeches.

But thear was an ancient cittizen cauled Nycholas Wyse, who indeede was wiser than any of the rest, this man went too and froe to the grauest and wisest men of the cittie, and to those that weare the chiefe procurers of this discention, disswading them from their euill purposes and perswading them to be better aduised and to give over that open insurrection nowe attempted agaynst his Maiestie that was their naturall lord and king, lineallie descended, whose forces were readdie at hand to raze their walles and to sacke their cittie, if they should perciste in those rebellious actions, and they not able in anie measure to withstand the least of his Maiesties forces, and therefore he said it was better for them, in tyme to open their gates with dutiful obedience, and with humble submission to beseeche pardon, which no doute said he, but in mercie, would be granted, with manie other the like good parswading speeches whear with they weare at the last parswaded to let in the Lord Deputie and his armye ; so Robert Walshe fitz James then maior of the cittie with the aldermen, and the said Nycholas Wise, with other cittizens, went and opened the gates: deliuering to the Lord Deputie the sword with all the keyes of the cittie according to the ancient custome in dutie of aleagience: likewise the chiefe and principall actors and offenders in that great tumulte, weare deliuered to his Lordship, from among whom, his Lordship chose one John Fagan who was a principall speaker in that tumulte not to recyue any Scottishe man to raygne over them and he was deliuered to the marshall and sent away to execution: but at the instant sute of the mayor and aldermen as also at the earnest petitions and tears of sundrie ancient matrones and gentlewomen of the cittie he was called backe agayne and he with all the rest upon theyr humble submissions upon theyr knees confessing their faultes, and craueing pardon weare all pardoned: so the Lord Deputie after the King was proclaymed, as appertayned, and the cittie left in good order and quietnes, departed from thence and marched to Corke.

The citizens of Corke nowe hearings of the Lord Deputie his coming to their cittie, began to enter into consultations among themselues, what was best to be done and some saide it was best to keepe the towne and not suffer the Lord Deputie to come in, others said that if he did come in, he should not bring with him above forty men at the moste to tende

upon him, but to conclude, when his lordship was come with in sight of the towne he went into Shandowne Castle where the Ladye Carewe laye, and stayed there till the vaunt guard of his foote weare drawne up within sight of the towne.

By this time Master Thomas Searchfield mayor of the cittie of Corke and William Meade recorder of the same, with the aldermen and comons and a stronge garde of the towne soldiers, weare drawne to the northe gate, which was sett open, and the maior with his brethrene standing upon the bridge, attending his Lordship coming. Nowe when his Lordship sawe that his owne forces weare come up, he sent for the maior and recorder with the reste to come up to him to Shandowne Castell, and so they did : and while they weare there, the vaunte garde marched into the towne, who placed themselves in order, and made a garde for his Lordship who followed after them with the maior and his brethrene and entered the cittie wheare he stayed certayne dayes hearing of causes and contro-versies, and examining the actions and proceedings of the citizens, and keping of sessions to punish malefactors.

Thear were manie complaints exhibited aganist the maior and against the recorder ; and against diuers other of the cittizens, amonge whom thear was certayne articles of treason, agaynst William Meade the recorder of Corke, and against diuers others, but chieffie against one Lieutenant Murrey who had bene a servitour under the late Quene deceased, but nowe named Captine Murrey and become a leader of some of this rebellious route of the Corkagians, which articles of treason were proued so manifestlie that Captine Murrey and two others were executed by marshall lawe, but William Meade the recorder of Corke was reserued to be tryed by arainement and an orderlie proceeding by lawe in a courte of sessions for that he was a gentleman of lands.

And therefore the Lord Deputie left him to be tried before the commissioners and justices of the prouince, and departed himself for Dublin, whear he had intelligence that upon the 4 daye of Maye it had pleased the king to elect and choose him to be one of his preemie counsell in England, with further directions that he should assume agayne the title of Lord Lief-tenant and ordayne a lord deputie to gouern the kingdom untill further order should be taken and himselfe to repayre into England, which he par-formed accordinglie ; for he ordayned Sir George Carewe who was then treasurer of warres to be Lord Deputie in his absence, to gouern the kingdom, and taking with him the earle of Tyrone, who had been long forthe in action of rebellion, tooke shipping and departed into England, leaving Sir George Carie Lord Deputie in full auctoritie upon the first of June. When the lord Mountioy, came to the court he was presentlie sworne, according to that former election, to be one of the preemie counsell

Anno 1603.
June 8.

and he presented the earl of Tyrone to the Kinge, who was receyued into the kings most gracious favour and proclamations made to that effect, and published in London, upon the 8. daye of June in anno 1603. that Hugh Oneale, earle of Tyrone, in Ireland was receyued into his Maiestie's favour and grace and that he was honourable to be used.

Nowe thear was an especiall sessions procured to be holden in the month of December at Yoghall in the countie of Corke, before Sir Charles

Willmot and Sir George Thorneton, knights, chiefe commissioners for the gouvernement of the prouince of Munster in the absense of the lord president of that prouince : and before Garrot Commerford chiefe justice of the prouince, whear in the foresaid William Meade recorder of the cittie of Corke was indited and arraigned of certain articles of treason, by the name of William Meagh of Corke, gentleman.

The Articles :—

1. First, for leuying of warre against the king's majestie.
2. Secondlie, for denying the kings right and royall preheminance.
3. Thirdlie, for killing one Master John Sutcliffe a minister : and for killing Zacharie Title : and William Hoddier, two of the kings soldiers.
4. Fourthlie for detayning and keping the kings ordinance and munition of warre, that it should not go out of Corke to strengthen the king's armye, but did use it agaynst the king in defense of his enemies.

And notwithstanding that these articles weare sufficientlie proved, and partlie confessed by his owne mouth, yet the inquest that went upon him for tryall of his life found him not guilty ; for which false verdict they wear all bound ouer in recognizance to answer their periurie in the Starre Chamber : at which tearme they all appeared accordingle and upon the they weare censured according to an orderlie proceeding in lawe (before the Lord deputie and counsell of the kingdom and before the chief justices and judges of all his Majesties highe courts and before all the kings officers, and ministers of the lawe as appertayned), and condemned for their periurie and abusing of themselves by delivering of a false verdict, in fines of great sums of money.

In this yeare 1604. at the Trinity term which was holden in the town of Drohedaghe, because the plague was then in Dublin, the inquest before spoken of were by special commission summoned to appear before the Lord Deputy and council, to answer the foresaid perjury, being called every man by his severall name according as he stood in the panel of the inquest as here doth follow :

15 of June 1604.

- | | |
|---|---------|
| 1. Richard fitz Daue barrie oge of Robertstone Esquir | } gent: |
| 2. Thomas fitz John Giralde Rostelane | |
| 3. William Powre of Shangowrye | |
| 4. Gregorie Lambert of Buttiuante. | |
| 5. Daud Nagle of Monenemie | |
| 6. Miles Roche of Kilbeahye | |
| 7. Donell o donowan of Castell Donouan | |
| 8. John Ronan of Yoghall. | |
| 9. Nicholas Galluan of the same merchant | |

* William Gough, mayor of Dublin, died about the later ende of maye 1604 after he had been mayor about 8 monthes, and then John Eliot, alderman was chosen to supplie the rest of that yere : vidz. till Michaelmas.

JOHN ELIOT mayor 4 monthes	{	JAMES TIRRELL	} shir:
		THOMAS CARROLL	

- | | |
|---|---------|
| 10. Mahowne m ^c Shehie of Kilbetworagh | } gent. |
| 11. William Hodnett of Ballie Wodye | |
| 12. Donell Moyle M ^c Cartie of Fiall | |

These men being called in his Highnes court of Starr Chamber, comonlie called in Ireland Castell Chamber. and euerie man answering accordingle, it was demanded of them howe thei coulde give up a verdit, not guiltie, of the said William Meaghe, whose actions of treason were apparentlie proued by good and sufficient witnesses, besides what he spake with his owne mouth before the judges in the presence of the said inquest which the judges presentlie expound to them that his words weare high treason. They answered that in their consciences they could not find him guiltie, and so the court of Starr chamber proceeded to the Censur. Whear in Rychard fitz David Barrie oge was fyned to his Maiestie in 1000 marks. and euerie one of the reste in 500 poundes. and to weare papers upon theyr heads for periurie in all the foure courtes that trinitie tearme in Drohedagh and to lye in prysone at the Lord Deputies pleasur. Likewise to weare papers for periurie upon their heads at the next generall sessions which should be holden in Corke in the prouince of Munster.

In this year the Lord Deputie lyeing at Castell Reban in the borders of Leyx, dubbed two knights, uidz. Sir John Ose'eye, and Sir Josias Bodeleygh. The plague being hott in Dublin this yeare, the Lord Deputie laye uerie seldom in Dublin.

About this time it pleased the king's maiestie to alter the gouernement in this kingdom of Ireland, for he revoked Sir George Carie, that
Anno 1604.
Febru. 3. was Lord Deputie at that presente, and sent ouer to that
Anno 1604.
Febru. 3. worthie knighte Sir Arthur Chichester (who had been gouernour of Carrigfergus about 4 years) his patent to be lord Deputie generall of all Ireland with directions to take upon him presentlie the place and gouernment of the kingdom. Which he did, and receyued the sword together with his othe in the cathedrall church comonlie called Christes Church in Dublin uppon the 3 daye of Februarie in anno 1604. What tyme he was fullie established in the gouernement of the kingdom.

This Lord Deputie was naturallie of a religious disposition, out of which in this tyme of his gouernement he indeuored, not onlie to plant godlie
Anno 1605.
Marche 25.
Anno reg: 3. and learned men in the church of God: but also to reedifie
Anno reg: 3. and builde up again the ruinated and decayed churches, that weare in the kingdom.

About this time that reuerent preacher Master William Daniell Bachilor of Diuenitie was in hande with the translation of the Booke of
Anno reg: 4: Comon prayer into the Irishe tongue and was greatlie encouraged thear unto by the Lord Deputie: who not onlie gaue waye thear unto but also restrickte order to the printer for the printing thear of with large recompence out of his Maiestye's theasures and comysion for disappearing of them through out all the churches in the kingdom.³

³ In this year was published in print the Booke of Comon Prayer in the Irishe tongue which was translated and reduced into the vulgar speeche of the Irish by that reuerent father in God William Daniell, lord archbishop of Tuam, by the procurement of the Lord Deputie who gaue speciall directions that the archebishops and byshopes

This year about the 20. of Aprill Sir Cahir Odoghertie being then a great man in the north of Ireland, and one that was in great favour with the kings maiestie in so much that his hignes the selfe same daye, vidz., the 20. daye of Aprill had signed unto him a warrant for letters patents, to enter into the possessions of a certayn iland called the Inche lyeing upon lough Swilly, whear unto he pretended some title although he had no greate intreste in them, This not with standing it pleased his maiestie to graunt him warrant as aforesayd farre beyond his expectacion the verie same daye. The sayd Odoghertie, upon whatsoeuer idle conceypte, but as I have heard it reported to be upon some displeasur, grudge, and hatred, which he had conceiued agaynst the too precise and seueare gouernement of Sir George Pawlett knight, who was then the chieffe gouernour of the cittie of Dirrie and the countries there about, who had offered some discourtesie to Odoghertie, whearof he sought to be revenged as also to kepe his promise with the earle of Tyrone, who, (as it hath bine crediblie reported) had made before his going into Spayne some secrete combynations with the sayd Sir Cahir Odoghertie, with Ocaane, with Sir Neale Garuie, and with diuerse others, that they should keepe theyr fayth and loyaltie to him in his absence and to be in a reddines to receyue him, at his returne from Spayne with all the force and strength of men that he colde make, for he intended to bring with him, from the Pope, and from the King of Spayne ayde and strength of men sufficient as he thought to bannish all the Englishe men owt of Ireland.

And further he appoynted them to be reddie, about the first of Maye 1608: which after our usuall accompte happened that year the 21. of Aprill. and he gave them a token that when they should see about that time a navye of shippes upon that coaste, that then they should reare heade with their forces upon the land, and firste to take the kinges forte of Cullmore, Castell Doe, and as many other places as they could get that weare in the Englishe men's possessions, but aboue all other things he left with them in charge that they should sacke, spoyle, and burne the Dirrie.

shoulde take everie one a portion of them into their dioces and distribute them amonge theyr cleargye to euerye paryshe one, also the sayd Lord Deputie in the tyme of his gouernement compelled the parishioners of euerye seuerall parrishe to reedifie their decayed and ruinated churches whearof many had lyen waste long tyme; and manye ether good thinges he dyd bothe to the churche and churche men.

⁴ There is here a blank, only the margin of the face of folio 55 surviving, giving the dates as follows: 'Anno 1607, March 25. Anno reg. 5. September 30. Anno 1608, March 25, anno reg. 6;' and on the back, 'Ireland. Lo: Dep: Culmore,' followed by some fragmentary words. At this point also the following note is interpolated:—'Nicholas Burren, Mayor. This man was mayor in this year, for Plunket, which should have been mayor, but would not, refusing the place for like causes as other before him had done. In the winter of this year was a great frost, which began a little before Christmas, and continued till about Midlent. This frost increased with such fervency of cold that all things which grew above the ground died and starved with cold; many beasts, both wild and tame, died and starved with hunger, and so did great numbers of wild fowls [2½ lines thickly scored through]. The rivers for the most part throughout all Ireland were so covered over that the people might go to and fro upon the ice as upon dry land; yet God so blessed the summer and the harvest that it yielded sufficient plenty of corn.' Burrell was mayor of Dublin in 1607.—C. L. F.

And therfor, as upon the day aforsayd he had gathered together a greate number of Irishe men: bothe horse and foote; and towards euening he went to the kinges forte of Cullmore, under culloure of frindship and gossiprie to make merrie with Captin Harte, his gossip, who was constable of that forte and commanded the warde that was theare, but when Odoghertie sawe his time he took Captin Hart prisoner and all that weare with him, and left one of his owne followers called Pheilimi Reagh in the sayd forte as constable to kepe it for himselfe and to his use: and then went himselfe with such forces as he had unto the cyttie of the Dirrie comminge thither aboutt. halfe an houre before daye and thear he cruellie murdered Sir George Paulet, the gouernour, and Lieutenant Gurdin: and Ensigne Corbett with diuerse others⁵ and he tooke prisoners Captin Henry Vaghan, with Mistris Mongomerie the bishop of Dirrie his wife, who weare sente to the Castell of Bert to the Ladye o'Doghertie⁶ to be kept as prisoners, and so he with his wicked crue tooke the spoyle of the cittie and burnt it downe to the ground all excepte the church. When newes hearof came to the Lord Deputie and councell, thear was presentlie prepared an army of 8: or 900. men horse and foote who weare committed to the gouernement of Sir Rychard Wingefield knight highe marshall of Ireland, as chiefe commander in that seruice, with whom was joyned Sir Oliuer Lambert, knight, an expert seruitore in the warres, these two accompanied with Sir Frances Bushe, sett forwards towards the northe with theyr forces: horse and foote about the 13. of Maye. And verie shortlie after, Sir Thomas Ridgwaye the theasurer at warres, upon a vehement desire that he had to see the Seruice, followed after them and ouertooke them at Dundalke: and so thei marched all together with the armye till they came to Charlemounte, and from thence Sir Tobie Cawfield with 25 soldiers of his owne companie, and 25 more of Sir Francis Roes company marched a long with them into Odogherties countrie; where they incamped first at Quartermore, and after that at one of Odogherties chiefe howses called Elagh, or Illagh, then Sir Richard Wingefield and the rest of the commanders sought means first of all to get agayne his maiesties forte of Kyllmore, which when Pheileim Reaghe perceyued he quicklie quitte the forte and stoale away by boats in the night, then was Captin Baker left there with a ward to keep that forte agayne for the kinge.

After this weare certain captaines with theyre companies sent foorth into the furthest border of Odoghertie's countries called Innisheowen which lyeth alonge by the sea side, from whence they brought great numbers of cattell and prayes into the campe. and so Sir Rychard, and Sir Oliuer and the reste contynued still the prosecution of the enemye from place to place whear so euer he went according as they could gett intelligence, and as they camped one night near unto Kenninore Wodde Odoghertie came in the night with his forces, and sett upon the Englishe campe and falling by chaunce upon that quarter where Sir Henry Oge Oneale quartered, he slue Sir Henrie and 6 or 7 of his men. so the alarum raising

⁵ But the Ladye Pawlet and her daughters fell into the hands of Sir Neale Garvy.

⁶ This Ladye O'Doghertie was sister to the lord of Gormanstowne in the Englishe pale.

the campe was quicklie in armes, and Odoghertie was glad to gett him packinge. And Phenton Parsones the ensigne bearer to Sir Thomas Phillips was left theare constable of the castell with a stronge warde to keepe it for the kinge.

In the monthe of June Sir Rychard and Sir Oliuer drewe the armie to a verie strong house of Odogherties called Castell Barte: whear in his ladie did lye; which castell after 5 or 6 dayes siedge was yielded up to the gouernours in his Maiesties behalfe, and the Ladyie Odoghertie was taken prisoner and Odogherties sister Elinor; and a mouncke.⁷ The Ladie Pawlett and hir daughters with mistries Mongomerie the bishops wife and other Englishe prisoners weare in larged and sett at libertie. and a ward put into the castell to be kepte for the king. vidz anciente persones that was Sir Thomas Phyllipes.

It was not long after but that Sir Neale Garuie was also taken prisoner at the bishops towne of Rapho, at what time Sir Thomas Rydgeth waye haueing seene thus muche of the sertice was willinge to retire home to Dublin and tooke with him the sayd Sir Neale Garuie and the Ladie Odoghertie to the Lord Deputie, and after a while Sir Neale Garuie and Ocaane weare sent into England weare they were committed prisoners into the tower of London and theare do remayne to this daye, and the ladie Odoghertie was committed prisoner by warrant from the Lord Deputie, to the custodie of Thomas Drugoole, elder shiriffe of the cittie of Dublin. And the governours Sir Rychard Wingfield, and Sir Oliuers Lamberte, commanded the captines and officers to drawe to a little hill, that was before the campe, and to stand there in batalia with 4 or 500 soldiers, neare abowte 150. weare sent owt with officers, as lose wings further off from the campe to vewe the enemie and to skyrmishe with them; and Odoghertie seeing that small companie thoughte to ouer runn them with his lookes: and himselfe leadinge his mayne battell, marched towards them with more haste then a good pace in a verie greate rage, but the soldiers sent theyr bullets so thyeke flyeing amongst the rebbels that Odoghertie was [hit by] one of them which layd him one the ground, and his frind Pheleim Reaghe when he sawe him fall, thought to take him up But he was dead before, and so he drewe awaye the rebbels, and went to the woddes and the soldiers brought the bodye of Odoghertie to the campe with great joye, wheare the governours commanded to cut of his head, which they sent awaye presentlie to the Lord Deputie by one Ryce Coytmore of the Dirrie.

About the first of July as Sir Richard and Sir Oliuer weare in camped at the Abbey of Killmackrenan, stayeing thear some certayne days to rest and reliefe their soldiers after theyr great travells: Odoghertie being verie impatient and in a rage for the loses of his Castell of Barte and for the takeing of the ladie his wife, and his sister prisoners, and sending them away to Dublin that he had gathered an armie of about 1000 men and thought in this his rage to surpryse the Englishe campe upon a suddayne, but as God would thei weare discovered in verie good time and the alarum rising in the campe verie suddaynlie the soldiers issued forth and the officers ledd forth some 3 or 400 and stood batalia upon

⁷ The monckes name, Phelemy o Dougherty now converted to God's true religion.

a hill before the campe but those soldiers forth the first of all; went furthest of from the campe: in number almost 200. who fell in skyrmyshe with Odoghertie's people, and, him selfe mette, theare was one soldier that did knowe Odoghertie and with his peece leuelled at him and shott him through the head with a bullett whearof he died presentlie and when he was thus strooken downe all his men came awaye and the soldiers brought his bodie to the campe wheare the gouernours commanded his head to be cut offe, and sent it presentlie away to the Lord Deputie.^a

While these things weere adoin the Lord Deputie had prepared some more forces and was marching towards the north to theyr ayde that weare theare before, and as he was travelling towards Dundalke Captaine Henry Vaghan, who had bene a prisoner with Odoghertie, was now escaped and mett the Deputie upon the Lurgan in the highe way to Dundalke and told him that the head of Odoghertie was cut offe and was coming towards his lordshipp with Ryce Coytmore, at which newes he greatlie reioyced, and presentlie called for master Robert Rydgewaye the sonne and heyre of Sir Thomas Rydgewaye theasurer at warres, and thear made him knight being of the age of 16 years or thear about. This yonge knight presentlie returned home to be furnished with men, horses, and aparell, fit to attend the Lo: Deputie in that jornie: so the lord deputie marched with a joyeful harte to Dundalke and lodged theare that nighte, and from thence he marched by journeyes to Ardmaghe wheare he laye in campe about 8 days or 4. in which time as some of the soldiers ranged abroad, thei found in a house certayne Romishe rellicques, as coopes, vestements, tunicles, albes, bookes, and such like, which weare brought to the Lo: Dep: which his lordship soone dispearsed and gaue awaye: chieflie one riche cope of cloth of gold he gaue to Christes Church in Dublin, for to make a cushin and pulpit clothe for the pulpit which is used for that purpose theare at this daye. From this campe he remoued to a verie fayre camping place wheare he laye about 10 or 12 dayes at this campe. Sir Thomas Ridgewaye ouertook the Lord Deputie and brought with him his sonne and heyre the late dubbed knight with 12 horsemen verie well apoynted whose cullours and bandrowles weare white and blacke and so he attended his lordship on that journeye.

While the Lord Deputie was travelling these journeyes towards the Dirrie, those chiefe commanders that weare at the Dirrie vidz: Sir Rychard Wingefield, and Sir Oliuer Lamberte presentlie after the death of Odoghertie dislodged from Kilmackrenan and marched to Castell Doe, which Odoghertie a little before his death had taken by treacherie and had placed a strong ward therein, which castell Sir Richard and Sir Oliuer besieged, lodgeing their army round about it, and mounted a demi canon and culuering for to batter downe the castell which helde out from thursdaye to Sonndaye about mydnight and then the principall of the ward stoale awaye in boates upon a springe tyde, and lefte nobodye in the castell but one walshe man that was theyr master gunner and a few poor soules: this walshe man and one Irishman were presentlie executed

^a It is not clear from the MS. which of these two paragraphs, describing the death of Sir Cahir O'Dogherty, was intended to stand.—C. L. F.

by marshall lawe and a ward for the king put into the castell under the command of Captaine Eelinge. Nowe the enemies forces seeing themselves withoute a chieftayne to direct them and that their principall castells and strongest holdes weare taken from them they braake in sunder and dispersed them selues.

Nowe was Sir Oliuer Lambert sent to the Lorde Deputie and with him the mouncke that was taken at the Castell of Barte, but Sir Rychard Wingefielde the high marshall stayed with the armie in Odogherties countrie followeing upon the Service, and God so prospered all their actions that euerie thing was ended to the honor of his maiestie and the great credit of those worthie commanders: for Pheleimi Reaghe and sundrie others weare taken, whear of some weare executed by marshall lawe but Pheilimi and some others weare reserved tyll the Lord Deputies cominge.

In the meane tyme whyle the Lord Deputie was lyeing in that campe aforesayd by Dunganon Sir Oliuer Lambert came thither unto him, and brought with him the moncke, and Sir Oliuer discoursed unto the Lord Deputie all the manner of theyr proceeding in those seruices of the northe, also the moncke was examined at sundrie tymes and perswaded to forsake that Romyshe religion, and to recante that idle profession which he did, and was pardoned. Nowe the Lo: Deputie haueing intelligence wheare some of the dispersed rebbels comonlie frequente had sent certayne companies of soldiers abroad into the woddes to pursue them and slue some of them in the pursute and other some weare taken prisoners and weare brought to the campe, chieflie one Shane Ocane brother to the great Ocane that was prisoner in England who with other of the rebells was condemned to die, unto whom the mouncke was sent to instruct them howe they should prepare them selues to dye, but when the said Shane Ocane heard the moncke give instructions contrary to that form of religion which he knew the moncke had professed in former tymes, he thruste him awaye from him and said that he deserved hanginge for reuolting from the popes religion: and so caste him selfe from the gallows and was hanged: with thre or foure others.

The Lord Deputie from this campe dismissed Sir Rychard Morison and Sir Thomas Roper, with the companies and sent them home agayne in to Mounster: to theyr garrison places, and his lordship dislodged from that campe, and marched by jorneyes to the Liffard whear he called a sessions and by orderlie course in lawe sundry of the rebells, cheefelie Pheileim Reaghe weare indited of high treason: found gyltie, condemned, and executed, so the Lord Deputie, after he had settled good order in the countrie, and placed garrisons in fitt places with captins and officers as appertayned, he returned home comming to Dublin about the middle of September.

John Cusacke, Mayor.—This mayor was a great housekeeper, for in his mayoralitie he invited the Lord Deputie at sundrie times also strangers Anno 1608. and travellers out of forrayne countries weare entertayned in Sept. 30. his house: he would make matches of bowling and shooting Anno reg: 6. with the Lord Deputie and counsell, and aboue all this he did gouerne the state of the citty with equitie and justice.*

* Four lines are here scored through.

In this year upon the 12. of october there commenced two doctors.

vidz	} D. Daniell in Theologie
	} D. Dunn in the Ciuill Lawe
Bachelers in Theologie	4.
Masters of the Artes	9.
Bachelers of the Arts	7.

This yeare also was published the Booke of Comon Prayer which the aforesayd D: Daniell had translated into the Irish tongue at the procurement of the Lord Deputie, who dispearsed those bookes through whole kingdom of Ireland.

You have red in the discourses of the year before goeing of the sackeing, wasteing, burninge of that ancient cittie of the Dirrie in the province of Ulster. nowe shall you read in the discourses of 1609.
September 30
Anno reg. 7. this present yeare, how careful the king's most excellent Majestie hath bene for the reedifeing and replanting agayne of the said citties and countries theareunto adioyning and with what great consideration his higness and the counsell in England haue harkned unto the sutes of that worthye magistrate [? Sir William Craven] Lord Mayore of that most ancient, famous, and honourable cittie of London with the aldermen and comons of the same who haue undertaken to the king, the replantation of that cittie of Dirrie, and of the town of Colerane and the countries thereabout, as it will more plainly appear, by these articles immediately heare after followeing. [Here follow the articles between the king and the city of London, which are printed in the *Calendar of State Papers, 'Ireland,'* 1608-10, pp. 359-62.]

These articles being thus agreed upon between the Lords of the Council in England on the behalf of his Majesty, on the one party, and the Lord Mayor of the city of London on the other party, were presently sent to the right honourable the Lord Chichester, Lord Deputy General in Ireland, together with a letter under the several hands of the said lords, advertising his lordship of the manner and order how to proceed in the said plantation of the north, which letter I have also set down here verbatim, as it was copied out of the original, as followeth :

'After our hearty commendations to your Lordship, your Lordship shall understand that the noble and worthy work of the plantation in Ulster, undertaken by the city, is now at the last resolved on, and Articles of agreement between his Majesty and the city absolutely concluded, to which we and they have already subscribed; whereupon they have made choice of a particular governor, and assisted him with other fit persons for the more orderly disposition of their affairs, and for accommodating such other circumstances as from time to time shall be offered to their consideration. They have also elected a sufficient person, John Rowley, well known to your Lordship, to be their resident agent on that side, who is correspondent with the Governor and his assistants here, and to receive and execute such directions as they shall have occasion to transport unto

A letter from the council in England to the Lord Deputy in Ireland.¹⁰

¹⁰ An abstract of this letter has been printed from the Philadelphia Papers in *Cal. S. P., 'Ireland,'* 1608-10, pp. 378-9.—C. L. F.

him; and some other inferior ministers they employ and presently despatch away thither, purposing that their agent shall very shortly follow. All which, and every of them, we do not only earnestly recommend to your Lordship's favour, but more particularly and most especially the work itself, being so honourable in the beginning and so hopeful in the success. We must say unto your Lordship that there are not many things within his Majesty's kingdoms that he more taketh to heart than this, which we have observed your Lordship also to embrace with much alacrity, as the person who hath not only been a principal instrument to make waye for this good worke by the sword, but by your ensuing indeavours haue made it more apte for that impression which is nowe intended towards it, in all which considerations we require you to assist with your beste countenance and helpe in all their addresses, so far as shall be reasonable, and namelie for your directions at this present to the commanders, sherrifes and other officers in the seuerall countries, Tyrone, Colrayne, Downagall, Antrim, to be imployed to furnish a competent number of the country people for the felling, digging of stone, burninge of lyme, and doing such lyke necessarie works and at the rates as is usuallie allowed by his maiestie upon the like occasions, And further that your Lordship take order that cattell, corne, and other necessarie prouisions for vittailles may by your authoritie be taken up at the ordinarie and usuall price of the countrie for the use of the workmen and labourers for all which the agent hath order to make satisfaction by payment in réddie monye. Finallie wee praye you to omitte nothing that is fitt to be done for the aduancement of this worke which is helde to be of so great consequence, and so we bid your Lordship hartelie farwell, from the Court at Whitehall the 4 of februarie. 1609.

Your Lordships verie loving
frinds

The Councillors who signed this letter.

Lo: Arch:b: of Canterb:
Lo: Chancellor.
Lo: Threasuror.
Lo: p: Seale.
Duke of Lenox.
Lo: Admirall.
Lo: Chamberlaine.

E of Worcester.
Lo: Zouche
Lo: Knowles
Lo: Stanhope.
Sr: John Herbert
Sr: Julius Cæsar

By these articles and this letter, dothe plainlie appear the kings maiesties most gracious fauour and loue, which out of his princelie care he beareth to this ruined Kingdom of Ireland, for he doth not onelie seek the reedification and replantacion of that most ancient cittie of the Derrie (called in olde time Derrie Collumkill or St Collumbes Iland, whearin many famous princes, the kings of England, Scotland, and Ireland, have been entered after their death) but also hath in his gracious and bountiful liberalitie, giuen and granted greater proportions of lands and more larger liberties and privileges thearunto than euer it had before : as maye appeare more playne, by their Charter bearing date.

About the later end of this year 1609 vidz upon the 19 daye of Marche being Mondaye : in the 7 yeare of his Maiesties raigne. Mawde Plunkett

late wife to the Lord Christopher Plunckett baron of Dunsanie was most Cruellie murdered in hir owne house, at Cloan-eye in the countie of easte Methe, with sundrie stroakes of an axe, not hauing-anie bodie in the house with her but hir nurse called Honora Caffra: and one horsboy called Tyrrelagh mac ne Moyster, this ladie being sore wounded to the death the nurse Honora raised the strong crye so that certain women of the tenants ranne in to the house whear they found the ladie all moste dead, in the nurse's arms, and demaund who had killed their land ladie: but no bodie would confesse it, and within a while came in Edwarde Brooke esquire that dwelt hard by at Dunboyne, who was a iustice of the peace in the countie and Mr Anthonie Gall an attornie in the Court of the King's Benche, these two settled them selues verie dilligentlie to examine the cause howe that ladie should be so murdered, and when the nurse Honora Caffra was examined, she denied both the facts and the knowledge who did it, excepte quod she it weare Tyrrelagh the horsboy that did it. Lyke wise when the saide Tyrrelagh was examined, he denied both the facts and the knowledge who did it, excepte quod he Honora the nurse did it. Then the iustice examined the neyghbours what they could saye of their knowledge. Then 2. or 3. women of the neyghbours confessed certain speeches which the nurse had latelie spoken, whearin appeared a great presumption that it was the said nurse that committed the said murder: and verie litle or nothing was spoken of the horsboy; not with standing the iustice of the peace sent them both vidz. the sayd Tyrrelagh and the said Honora prisoners to the Castell of Trym there to abide theyr trialls, and the more inquirie was made for this murder, the greater presumptions appeared that it should be the nurse Honora that had done the acte, whearupon she was remoued from Trym to the Castell of Dublin whear

Ano 1610.
 March 24.
 Ano reg. 8.

 she remayned till the nexte Easter tearme and then was arraigned in the high Court of the King's Benche, and being found guiltie by the verdit of an inqueste was condemned to be burned: which was accordingly put in execution, at the Gallowes Hill, upon Ox-mantowne greene: wheare she was burned, not withstanding that she denied both the facts and the knowledge thearof euen to the laste gaspe of breath. The sayd Tyrrelagh lyeing all this whyle in the Castell of Trym was brought to the barre at the next assises theare holden, and when no man followed the matter or brought in any evidence against him he was acquitted by proclamation, and remayned in prison onelie for his fees.

Nowe the constable gave him libertie to go abroad all the daye with one boult upon his legge, but at night coupled him with another prisoner, and sundrie nights the said Tyrrelagh would dream and raue, and crye out in his sleepe holde me, holde me, saue me, saue me, looke whear she comes, oh she pulles me and pintsheth me, with sundrie the like outcries. So that his yocke fellowe prisoner complayned to the constable, desiring that he might not be coupled any more with him. Then the constable began to examine what was the cause of that crying out, and he confessed that in his dreams he saw the sayde Honora Caffra, come to him and to torment him in that fashion, whear upon the constable and others, and amonge all the aforesaid iustice of the peace Mr. Brookes began to charge him with his conscience concerning the sayde murder, alledginge unto him that his soule coule not be saued unlesse he con-

fessed truly what he did knowe concerning the same. Whear upon at the laste he confessed, that it was hymselfe that did committe the sayde murder, unknowne to the nurse, and that she was not in any wise guiltie, upon which confession he was kepte more close prisoner then before, And at the next cessions houlden in Trym in the moneth of Julie and the 8: yeare of his maiesties raigne the sayd Tyrrelagh was arraigned for the sayd murder and condempned to be hanged, drawne, and quartered: which was done and executed accordinglie.

Anno 1610. Rychard Barrie { James Walshe, Edward Ball } Shir.
Sept. 30. { Robert Hacket. Richard Eustace }

The first two of these heare named for shireffes vidz James Walshe, and Robert Hacket, refused to go to the churche; and wear thearefore excommunicated, they were also called before the Lord Deputie and counsell, and commanded to take the othe of supremacie, which they utterlie refused, and weare committed thearefore to the Castell of Dublin, whear they remayne prisoners to this daye. And in theyr places weare chosen Edward Ball: and Rychard Eustace, who serued out the reste of the yeare.

In this yeare the 27 of October, there commenced in the universitie of Dublin.

Masters of the artes 2.

Bachelors of the Arts 4.

This year in Hyllarie tearme, thear was arraigned in the King's benche for highe treason, one Conohore Odouenie that was titularie
Anno 1611. bishop of Downe in Lecale and one Gilpatricke O Logherane a
Sept. 30. semininarie preeste, these being found guiltie wear condempned to be hanged, drawn, and quartered, and when they weare sent foorth to be executed thear also went foorth to the place of execution an infinite number of people out of the cittie both men and women; euen such a multetud as the like was neuer sene before at any execution about Dublin, and when these men weare hanged, and weare let down to be quartered both men and women of a blinde zeale, and superstitious holliness gathered about the bishop, wheare he was a quartering and with clothes and handkarchers soaked up his blud and cutt up the soddes of the earth whear his blud was shed: and some cutt of his fingers, and others cutt collops of his flesh in a most inhumayne manner as I thought
Anno 1612. and as I doe thinke thear was neuer before the like heathenishe
Sept. 30. practice done amongst Christians, to triple the tortur of a condempned parson under the collour of zeale to his religion.
Anno reg. 10.

This year upon the 24 daye of October between the hours of 3 and 4. of the clocke in the afternoon Master Hen; Dauells a gallant yonge gentleman was murdered in the streets of Catherlaghe by one Piers Keatinge: ¹¹

towne of Catherlagh whear the sayd Dauells had layen a daye or two taking of phissike, the companie being thus assembled, one of the Hart-pooles, namelie George, being gossip unto Dauells, sent a messenger unto the house whear in the sayd Dauells was, with seuerall reprochfull messages, being in effect, challenges, the which Dauells did endenour to

¹¹ Here follow eight lines thickly scored through.

shun alledging that he was sicklie and had taken some phisick whearby he was unable to answer theyr expectations as then, and further made answer to his sayd gossips prouoking messages, that he would not drawe one drop of his gossips blud for a kingdom, and whear as it appeared t[o] him by their messages that nothings coulede satisfye them but his blud, he replyed, that to eschue great effusion of blud, which might be shed by factious parttakers, that he and his brother Anthonye St Leger woulde meete the said Sir Thomas Loftus, George Hartpoole, at some convenient place and tyme, and giue them lawfull answer to what they coulede obiecte, which reasonable and gentleman like proffers they utterlie refuse to entertayne, and in tyme, when by all these prouocations they could not get him out of the dores, they sent a messenger commanded to tell Dauells that he was a dishonest man and that they had taken such a course that neyther his worde nor credit should be accepted off, in any parte of the worlde.

Which motiue of infamie, Dauells being a man of a greate spirit, could not indure, but tooke up his sword and went out of the doors into the streete, (being accompanied and followed by his mother the Ladie St. Leger, and by his halfe brother master Anthonie St. Leger and four others of his owne people) and taking the highe waye homewards towards his owne house was intercepted by the said Sir Thomas Loftus, George Hartpoole, and the reste of that assemblie, who stood directlie in his waye, and sett upon him with a mayne crye, after the barbarous Irishe manner, and after some conference had with them and a small byckering with swords, one of the septe of the Keatinges called Piers Keatinge hauing a peece charged with two mayne bulletts and fine quarter shott shaddowed him selfe betwene the sayd Sir Thomas Loftus, and the said George Hartpoole, and discharged that peece in the brest of the sayd Dauells and slue him treacherouslie, and after fled with mayne haste unto the wooddes, which cruell murder, Elynor Butler wife to the sayd Henrie Dauells, together his halfe brother m: Anthonie St. Leger, haue followed so stricktly by an orderlie proceeding in lawe that the sayd Sir Thomas Loftus and sayd George Hartpoole with some of the rest had verie hardlie escaped with theyr liues, if the queste or jurie that was impannelled out of the Quenes countie, (of which jurie one Alexander Timoge Barrington Esquier was forman,) had not giuen up a uerie partiall verdit, for which the sayd Barington and the reste do yet stand in danger to be censured in the Starre Chamber, and the sayd Piers Keatinge.

In the same month weare comenced in the universitie of Dublin.

Master of Arte 5.
Bachelers of Art. 8.
and one Bacheller of Musicke.

In this year the king's majestie determined to have a highe courte of Parliament to be houlden at Dublin in Ireland and to begin upon the 18
Anno 1612. daye of maye which should be in anno 1618, and in the 11 yere
Anno reg. 10. of his maiesties reign ouer England, France, and Ireland, and of Scotland 47.

Nowe when the right honourable the Lord Chichester had receiued
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aduertisements by letters from his majestie and thereby understood the king's determination, what was the king's pleasure hearin to be done, he presentlie sent foorth the special warrants of summons throughout all the whole kingdom: first to the lords spiritual and temporall. to be in a redines at Dublin upon that day prefixed with their robes of parlament and all other things necessarilie apartayning to attend his maiesties seruice during the parlament time. Likewise summons weare sent to all shiriffes of counties: to maiors soueraignes, portreis and all the other chiefe officers of citties and corporate townes, to chuse sufficient men for to be knights of the shires and burgesses of citties and townes to attend at the same parlament. But in their elections of knights and burgesses theare grewe great contention and striffe in sundrie places of the kingdom, by reason that the greatest number of people, as well noble as ignoble, weare so inclyned to Romanisme and recusancie that they would not giue their voice to the chusing of any man excepte they knewe him to be an open recusant. By means wheare of manie hollow-harted papists wear produced for knights of the shire and burgesses of the parlament, and amongst all other manye of the cittizens of Dublin, who weare alwaies accompted the patrones of loyaltie, to all the subiects of . . . and paragones of obedience to the kings of England, weare nowe found to be possessed with other spiritess: for when a warrant was directed to Sir James Carroll, knight, then maior of the cittie of Dublin, and to the shiriffes to chuse burgesses for the cittie, the maior haueing some lands with out in the countie was att Killmaynan chusing the knights of the parlament for the owtshire, in whose absence the shiriffes with certayn of the aldermen and cittizens went to the towsell and thear, (not staying for the mayor) his comeing home . . . did chuse two aldermen for burgesses of the parlament house vidz Francis Taylor, alderman, and Thomas Alline, alderman But this election was judged to be done by an indirecte course, and therefor the maior intended the nexte morning to make another election in his owne presence, wherein the voices of the cittizens and towne dwellers as well Englishe as Irishe should be allowed. So thear assembled to the towsell the next morning all the whole cittie as well Englishe as Irishe, but those of the recusants faction would not suffer any Englishman, or any other to speak but such as they knew to be recusants, whearupon was raised in the towsell a greate tumulte and mutenie, and the people recusants, being the greatest number, quicklie thruste all the Englishe men with violence owte of the doors, and there was one Nycholas Steephens a merchant of the cittie that would have rounge the alarum with the towsell bell if he could haue founde the key, and others offered to laye hand upon the Kings sword that was before the maior but the maior in this hurlie burlie took the sword in his owne hande and went to the Lord Deputie to complayne, and so thear was no other election made that day. Nowe the Lord Deputie gaue a most heauie cheque to the two shiriffes of the cittie for chusing the burgesses before the maior came home, also he committed the sayd Nycholas Steephens to the Castell of Dublin, and the mayor called all the cittizens foorth to Hoggen green, thear to make a newe election of burgesses, but the recusant cittizens ceased not still to uphould and maintaine their former election of Alderman Taylor, and

Alderman Allyne. Neuerthelesse, the maior with others of the aldermen his brethren and a great number of other good cittizens and loyall subiects chose thear Richard Bowlton esquire who was then recôrdor of the cittie for another, who were presented to the Lord Deputie and were verie well accepted.¹²

By this time the daye of the parlament drue neare and all the nobilitie, the lords spiritual and temporal, the knights and burgesses out of all quarters of the kingdom weare repairing to the cittie . . . thear to gyve theyr attendance as aforesd. And upon the 18 daye of maye being Tewsdaye, the Lord Deputie, with the pieres and nobles of the realme both spirituall and temporall attiered in their parlament robes in most sumptuous manner rode from the castell of Dublin unto the Cathedral church of St. Patrick and thear heard Diuine service and a sermon preached by that reverent father in god, Christopher archbishop of Ardmagh and primate of all Ireland, and after the service and sermon ended they returned back to the castell whear the parlament house was prepared for them in most statlie manner, and the Lord Deputie entered into the parliament house and thear performed all things appertayning to the first days actions.

The second day when the speaker of the lower house was to be presented, theare was brought in Sir John Dauies, knight, who was the kings attorney generall for all Ireland, he was well accepted and allowed of all men, except of some such as weare infected with recusancie, whearof weare some thear of all degrees, that tooke exceptions against Sir John Dauies and nolens volens would haue placed Sir John Euerarde knight in the chaire of the Speaker. But thear was manie others that stood as stoutlie for Sir John Dauies, so that he was kepte in the chair and the other thrust owt, then those of the recusant nobilitie with the knights and burgesses of that faction with one consent with drue themselves from the parlament house and refused to go anie more thither not with standing they weare often sent for by the Deputie by means whearof there was not any action done, or further attempted.¹³

The Lord Deputie seeing these egregious disorders and his Maiesties Highe Courte of Parliament polluted with such haynous abuses he presentlie adiourned the parlament to the fife of June and sent his letters of aduertisements to the kings maiestie, complaining against the absurd dealings of sundrie the nobles and commons of the kingdom of Ireland, whear upon the king sent his speciall letters commanding certayne noble men that weare malecontented, and diuerse others by special name to repaire into England theare to answeare before his highnes those complaints which the Lord Deputie had exhibited against them. These being thus sent for the Lord Deputie agayne adiourned the parlamente untill the 5th of October and so he made a jorney into the north to see the estate of that countrie and returned not home till mighelmas. The names of those who weare sent for doe heare followe

¹² This paragraph has been printed in *Desiderata Curiosa Hibernica*, i. 155-8. —C. L. F.

¹³ In a parlament houlden at Dublin in the 11: yeare of hir maleties raigne late disceased ther hapened the like controuersies for the like causes and by the like parsons but that was ended with 4: dayes and the parlament proceeded.

The first of
the malecon-
tents that
weare sent
for into Eng-
land.

Dauid, Lo. Roche. vicount of Fermoye.

Jenice Preston, vicount of Gormanston.

the lo: of Kilbin, the lo: of Dunboyne.

Sir Christopher Pluncket, Sir James Goughe knights.

Thomas Luttrell, William Talbott, Esquires,

Edward fitz Haries Esquire.

Nowe these men repairing into England, and aproaching the king's presence, his maiestie gave them most grations entertaynement, and of his princelie benignitie vouchsafed to use sundrie conferences with them, as well priuate as publicke, whear in these malcontents indenoured to put the king's maiestie in dislike with the Lord Deputie, and with his proceedings in the gouernement of the kingdom, and dayly thei urged manie complaints against him.

And there was amongst them one William Talbot sometime recorder of Dublin, a counsellor at lawe, who uttered some ouerrash, and unreuerent speeches in the kings presence concerning the regall prerogative of a kinge, and as it wear affirming that he doubted not, but that Popes by their prerogative might depose kings from their kingdoms, whear upon he was presentlie sent prisoner to the Tower of London wheare he remained at the king's pleasure, and at last was sent for to the Starre Chamber, wheare he was censured according to an orderlie proceeding in lawe, and was condempned to a fine of ten thousand poundes, and that the said Talbot should in certayne courts, as well in England as in Ireland, recant his former speeches, and confesse his erour, with most humble submission, after which he was to remayne prisoner untill his fine was paid or further order taken as should seem good to his maiestie.¹⁴

The king nowe haueing taken notice of all those greuous complaints made by those malecontents of Ireland against his Deputie theare sent ouer four commissioners into Ireland: namelie, Sir Humphrie Winche who some time had bene Lord Chiefe Justice of the King's Benche in Ireland, and Sir Charles Cornewallice, Sir Roger Wilbram, some time the Quenes sollicituer theare, and Thomas Caluer Esquire, one of the clarkes of the councill in England, these men weare sente ouer to examine the estate and gouernement of the kingdom and the causes of controuersies in the parliament house with which foure the Lord Deputie himselfe was joyned

¹⁴ Else wheare with in the kingdom about the chusing of knights for the shires and burgises of townes to attend in the time of the parliament and straitte commandement likewise was given to the said proclamation that no more monnie should be collected in that manner but that, that monie which had bene alredie collected, should be redeliuered again unto the owners upon paine of great punishments to be inflicted, and so that collection ceased.

The Jesuits and seminarie preests that weare in Ireland in this meane tyme seduced the people of the countrie, and made them to beleene, that those malecontents weare gone voluntarilie into England of purpose to gett, at the leaste libertie of conscience, and thearfore it was meete that the people of this land should contribute towards theyr charges in England, and so they appointed cessours and collectors to leuye and take up suche sums of monie as weare imposed upon the countrie, wheare upon great somes weare collected. But when the Lord Deputie heard thearof a proclamation was presentlie published throughout the whole land that thear was not any such meaning as libertie of conscience but that the malecontents weare sent for into England to answer such abuses and absurd dealings as had bene committed in the parliament house.

in the patent as chiefe commissioner: theise four arriued at Dublin upon the 25 daye of September; and stayed there untill the Lord Deputie returned from the north which was within 5 or 6 dayes after their ariuall.

Thear was one Edmond Omuldownie, an alderman of the cittie first chosen to be mayor, but because he would not go to church, nor take the othe of supremacie. This man, Richard Forster, although he wear but young, and but latelie called to estate of an alderman, yet upon some good consideration he was permitted to take that worshipful office upon him, as to be maior of the cittie, in the place of him that had been formerlie chosen. And when the accustomed daie was come, that he should be pre-

Anno 1613.
Sept. 25.
Sept. 30.
Richard
Forster,
Mayor;
Tadlie Duff,
Wm. Tyler,
Sheriffs.

sented at the Exchequer bar, before the Lord Chief Baron and Court of the Exchequer, and to be established in that worshipful place, Richard Bowlton Esquire, recorder of that cittie, presenting this newe mayor, made a uerie learned oration, whearin he resited the antiquities of the cittie and the large charters and liberties of the same, given and granted unto them in ancient times by the princelie fauours of the kings of England, but chieffie he commended the loyaltie and obedience of the cittizens, and called the cittie of Dublin a virgin cittie, vidz: a cittie immaculate, and without spott of treason, treacherie, or disloyall conspiracies; and that they had euer shut their gates agaynst any rebells whatsoeuer. Also he recommended this young maior with verie gracefull speeches, inferring that although he weare but young in years, yet no doubt he might prove wise in government, with manie other the like good speeches in his comendations.

An oration
made in the
comenda-
tions of the
cittie and
cittizens.

Sir William Methwold the lord Chiefe Baron gave authentic hearing and great allowance to this oration, but in his answer to that parte thearof concerning the virginie of the cittie he sayde, that if the cittie had latelie shewed that conformitie to the tolsill that it had done in former times at the gates, that it might haue better bene termed a virgin cittie, and that that facte had much blemished hir virginie; but he sayde, because the principall author of that outrage had receiued his condigne punishment, he did forbear anye further to tax either the cittizens, or the cittie for that offence. Also he gaue good allowance to gracefull speeches of the recorder concerninge the yonge mayor theare present, not doubting but that he woulde sufficientlie dischardge the dutie of his place, to his great worship and credit, but he sayd further that this mayor had leaped a alman [*? salmon*] leape, for that he sawe many graue and gray headed men thear standing about him whose turn was to have bin mayor before him, but he sayd the cause of theyr not being mayor in playne termes was because they would not take the oath of supremacie, which he was sorie fore. And so after a breefe exhortation giuen unto him for the well and faythfull exercisinge of his office, he tooke his othe kneelinge on his knee in the Courte of Exchequer, and then the Lord Chiefe Baron deliuered to him the swords. and being thus established mayor of the cittie of Dublin, departed home with such triumphe as was fitting for his place and calling.

In the summer of this year one Robert Jackson, John King, and William Okeley as chiefe, with diuerse others being at the seas in piracie: met with a barke of Barnestable near unto the Iland of Lundie which was

laden with sugar and sweetmeates : this barke the pirate tooke and carried to Broad Hauen wheare they weare surprisid and taken by Captin Beuerley Newcomen, who was then at sea in a pinnis of his owne (but sett forth at the king's charges) who brought them about to Dublin : whear sixe of them weare arraigned before Sir Adam Loftus judge of the admiraltie, and weare condempned to die : not with standinge three of them weare pardoned, the other three vidz those aboue named wear deliuered to the shirifes of Dublin to be executed : and a newe payr of gallows was set up upon the Strande at lowe water marke neare the place called the Stayne, by Dublin, and as they weare at the place of execution the preacher exhorted them to die well and to forgive all the world and so that execution was perfected the 29: of Julie 1618.

Nowe the Lord Deputie being returned from his jorney the commissioners late comen out of England indeauored to discharge that charge committed unto them and according to their instructions together with the Lord Deputie began to examine euerie seuerall article betwene the Lord Deputie, and the malecontents of the countrie and for the better expedition of the business some of those which wear plaintives in England weer liscenced to go over into Ireland to plead their cause thear before those commissioners in the presence of the Lord Deputie, who was chief commissioner and against whom they most chieffie inueighed. Nowe when euerie particular matter came in question, the malecontents could not prove any matter of moment thought worthie to be spoken of, for they produced not any matter, or at least verie little, that concerned the controversies of the parlament house, but rather seemed to impeach the Lord Deputie and his government, which oppression and extorsion by cessing of soldiers upon the countrie not looking into their owne discerts which was the cheefe cause of cesseings, if anie weare, nor into the kings regall prerogative whearby thei wear cessed, but did for the moste parte aggravate such matter which did litle or nothing agree with the instructions and charge committed to those aforesaid commissioners, and therefore when they had finished their bussinesse according to their commission they returned again into England departing from Dublin the 4. of Nouember next following their arriual. Among those who weare liscenced to come out of England, (as before is sayd) Sir James Goughe was one who made suche a fruelous construction, before the Lo: Deputie, of certayn speeches which the king's maiestie had spoke at his being in England, that the Lord Deputie committed him to the Castell of Dublin whear he continued for a time, but afterwards when he had better remembered him selfe, he acknowledged his faults with most humble submission, and so he was released againe.

Nowe the aforesaid commissioners being returned to the presence of the king, and haueing giuen up the accomptes of their proceedings in Ireland, the king's maiestie most grateously accepted thearof, and thearwith to acknowledge that his highnes was fullie satisfied concerning the legall government of his kingdom of Ireland by the lord Chichester, his grace's deputie generall thear, houlding so highe an opinion of his iuste proceedings, that his highnes not onelie published the same by an 'open and publick proclamation, throughout the whole kingdom of Ireland but also sent to the Lord Deputie a priuate letter most graceously indited for his speedie repayre into England signed with his maiesties owne hand bearing

date the 7. of Februarie in the 11 yeare of his moste happie raigne, upon which daye also the publicke proclamation was signed at Westminster by the king and the Councill, and I have thought it verie fitt to make knowne the kings most gracious favours to his Deputie Generall in Ireland, by setting downe the true copie of the kings moste favourable letters verbatim according to the originall, as it heare doth follow.

To our right trustie and well beloved the lord Chichester, our Deputie of our realme of Ireland. and to all other our officers and ministers whom it may concerne :—

Right trustie and right welbeloued, we greet you well, as we haue heretofore throughout the whole course of your gouernement found iuste cause to conceiue well of your inteigretie and sufficiencie in managing that high place of trust and authoritie committed unto you in that kingdom, soe we do hearby acknowledge that we haue receiued full satisfaction, by the relation of our late commissioners and otherwise, that the aspersions which by causelesse complaints weare indeuored to be cast upon you heare, proceded rather from the device and practice of some euell affected parson then from any true sence of publick griefe or any iuste cause giuen by you, or your government theare, wherwith for your better comfort and encouragement, we do let you knowe, we are highlie pleased, as our proclamation nowe sent to be published throughout that realme more at large expresse the, and in regard the time appoynted for the sitting of our parliament thear drawethe neare, whearin matters of great consequence are to be handled, and we haue for some reasons commanded the present appearance of diuerse members of both houses before us, we do thinke it fit upon this occasion to express the fauour we beare you, and the good opinion we haue of you, by authorizing you forth with to repaire to our presence that we and our councill may aduise at large with you, and receiue informations from you touching the present estate and affairs of that kingdom, and because it is expedient, that the gouernement theare during your absence should be supplied by some meete parsons to manage thaffairs of that estate, we do hearby enable and authorise you, whom we in our princelie pleasure do still continue our deputie generall, without any reuocation or diminution of your authoritie, to assigne and appoynt by commission under our great seall in such sorte as for the furtherance of our seruice thear, you, with thaduice of our councill theare shall thinke fitt, our trustie and right well beloved the most reuerend father in God, Thomas, Archbishop of Dublin, and our trustie and welbeloued, Sir Richard Wingfield, knight, our marshall of our armye there, as iustices to take upon them ioyntlie that gouernement, and to do all things according to the tenure of the said commission with such instructions as you shall leaue with them signed under your hand, as our deputie of that our realme, the said authoritie so committed by you to them to continue onely during your absence, or untill we shall signifie our pleasur to the contrarie; and albeit we haue thus signified our pleasur unto you for your repaire hither and disposing of the government in your absence, yet if you shall find any indisposition in your bodie, to come hither, and to return in so short a space as the time apoynted for the houlding of our parliament, or if that you shall know anie reason, of estate, which you in your judgement shall hould fitt to detain you theare for thaduauncement our seruice, or if otherwise you shall conceiue

that your repaire hither at this time, will by comon construction be interpreted to your disgrace, contrarie to our princelie meaninge who intendethe the same highlie for your grace and honour, then in such case we do not so straitlie enjoyn you to the performance thearof but that we do freely leave it to your owne choice to come or to staye as you shall think it fittest for our service. And these our letters shall be unto you, and all others whom it may concern sufficient warrant in that behalfe. Given under our signet at our pallace of Westminster the seauenth day of Februarie in the xjth yeare of our raigne of England, France, and Ireland and of Scotland the xlvijth.

This letter together with 1000 of the proclamations before spoken of weare sent into Ireland redye printed, by that worthie knight Sir Richard Boyle who arriued at Dublin the 13th of februarie and deliuered this letter and the proclamations with all his other business to the Lord Deputie, and the next daye the sayd Sir Richard Boyle was ordayned and sworn in the counsell chamber to be one of his highness priuie counsell in Ireland. And about the third daye after, one of the proclamations was proclaymed : Firste at the hie Crosse of Dublin in the presence of the Lord Chauncellour and others of the counsell, and afterwards in diuerse other places of the cittie, in the presence of the mayor and others the aldermen and comons of the same, and all the rest of the proclamations were speedilie dispersed through owt all the citties and corporate towns in the kingdom to be thear also proclaimed as appertained. All these things being done accordnglie, the Lord Deputie prepared himselfe to goe into England according to the tenure of the kings letters and also agreable thearunto he instituted, the Lord Archbishop of Dublin being also Lord Chauncellor of Ireland and Sir Richard Wingfield marshall of his majesties armyes theare, to be Ll: Justices: for the better gouernement of the kingdom in his absence. And so he tooke shippinge on Sunday the 18 of marche and went to sea being accompanied withe . . . On Mondaye the 14 of marche those two elected Ll: Justices tooke theyr othes and receined the sword and weare fullie established ll. Justices during the abs[ence]. One Mondaye the 14 daye of marche, these two new elected Ll. Justices went into the counsell chamber with in the Castell of Dublin with sundrie others of the counsell, whereare their letters patents were red as also the king's letters aforesayd, Likewise their othes weare ministered unto them and the sword deliuered them so they weare fullie established Ll. Justices to gouern the kingdom in the absence of the Lord Deputie—who being gone to sea as is aforesayd, had a uerie scarce wind and stro[ng] at the north east, so that with muche to do they gote into Wales and landed at Abendorane, and as the Lord Deputie, trauelled towards Westchester riding ouer a litle bridge of planckes, his horse stumbled and he fell ouer into the water, but the gentlemen that weare about him recovered him uerie quicklie with out any harm and so he trauelled to Chester and after two dayes rest theare, vidz upon the 21. of marche he tooke his journey towards London.¹⁵

Anno 1613.
Marche 21.

¹⁵ What follows, except one page so erased as to be illegible, has been printed in *Desiderata Hibernica Curiosa* at p. 312 *et seq.*—C. L. F.

CORRIGENDUM

Ante, p. 126, line 17, for *conspiration* read *confirmation*.

The Sale of Bishops' Lands during the Civil War and the Commonwealth.

In the *Cambridge Modern History*, iv. 457, in the course of a discussion of the financial position of the government of the Commonwealth it is stated by Dr. W. A. Shaw that 'of the sale of bishops' lands no account has survived.' Nevertheless details of these transactions may be found in the manuscript Close Rolls in the Public Record Office. One specimen may be given as an illustration.

In the autumn of 1646 parliament passed an ordinance for the sale of the 'manors, lands, and possessions of the late arch-bishops and bishops.'¹ A list of about twenty names, headed by those of Thomas Adams, Sir John Wollaston, and Sir George Clark, was adopted, and the persons named therein were appointed trustees for the sale. Any five trustees were authorised to dispose of those lands for which purchasers were forthcoming. Hence the records of the sales are indexed under the names of the purchasers and of one or other of the trustees.

On 8 January 1648/9 an indenture was made between Sir John Wollaston and others of the one part and Nathaniel Whetham, of London, Esq., of the other part, whereby the trustees sold the lordship and manor of Chard and borough of Chard, in the county of Somerset, together with about seven hundred acres of land, the property of the bishop of Bath and Wells. The purchase price was fixed at three thousand seven hundred pounds; half the price was 'acknowledged to be satisfied and paid according to several ordinances of parliament,' and the other half was to be paid within six months.² Nathaniel Whetham was a Dorset man—a younger son who came to London early in life. At the outbreak of the war he took service for the parliament as major in a regiment of dragoons, and soon was appointed governor of Northampton, with the rank of colonel of militia.

The manor of Chard remained in the possession of Colonel Whetham until the Restoration, when it reverted to the bishopric of Bath and Wells. It happens that its further history can be traced by means of a roll of chancery depositions for 1668.³ The bishop granted a lease for three lives to John, Lord Poulett, for the sum of five thousand pounds, of which one thousand was to be left in the hands of Lord Poulett to be paid to Colonel Whetham. The money was still unpaid in 1668, when Whetham brought an action for its recovery, alleging that the payment was allowed by the bishop

¹ *Commons' Journals*, iv. 677, 684.

² Close Roll 3415, 24 Charles I, part 23.

³ Chancery Depositions before 1714; Collins, 201-33.

unconditionally, in consideration of the improvements he had made on the property and of the 'good service he had done to the king.' This refers to the part played by Colonel Whetham in 1659, when as governor of Portsmouth he declared with General Monck against the committee of army officers who had ejected the remains of the Long Parliament. Lord Poulett, on the other hand, contended that the payment was conditional on the signature by Whetham of a release of his interest in the property and a renunciation of all claims thereto. In former years Whetham had sold various estates in the property, with a guarantee of quiet enjoyment, and was advised that signing a release would make him liable under those agreements. Consequently he had refused to sign, and Lord Poulett had not paid the money. The depositions do not tell us how the suit was decided.

It is unlikely that the history of many bishops' lands can be traced through their vicissitudes in this way; but the sales, at any rate, are recorded in the Close Rolls. W. C. D. WETHAM.

Reviews of Books

Etudes Sociales et Juridiques sur l'Antiquité Grecque. Par GUSTAVE GLOTZ. (Paris: Hachette. 1906.)

THIS book is charmingly lucid in arrangement, interesting, and sprightly in manner. The seven 'studies' which it comprises are generally sound, if not solid; and none is heavy. The paper on the 'Olympic Games' puts together in a lively form nearly all that is known to us on the subject. But an Englishman will necessarily feel a strangeness and naiveness in the professor's attitude, which he will be tempted to interpret as the result of the French unfamiliarity with our school games. How else should so tactful a writer come to record in almost so many words that in the 200 yards race it would not do to save oneself for a spurt at the end? And not very different comment comes naturally to the reader's mind when he finds other details of description which strike him as un-English and bizarre. Nothing of this however is to be met with in any other essay. That on the exposure of children is a valuable repertory of information, with, undoubtedly, the correct interpretation given to the facts, in the remark that the system of slavery and the ease of purchasing slaves were the direct causes that the custom prevailed so universally. The selfishness of each generation led them to sacrifice the happiness and security of the future. In his last paper, on the 'Study of Greek Law,' Professor Glotz recommends that study as affording a better means than Roman law for instructing politicians to-day in the best method to secure individual freedom. He is indubitably right in tracing the action on Greek law of lay ideas, emancipating the individual from the traditions of the family and their religious sanctions by calling in the state and its legislation to overpower them. But the author hardly gives sufficient weight to the fact that, compared with the Roman power, the Greek states were short-lived. Before seeking to introduce Greek thought in these respects into the plexus of modern political motives he might wisely ask how far the happiness of this generation of voters is compatible with the stability of the nation and the race. The opposition of the state's authority and that of the family or of religion is traced by Dr. Glotz in detail with regard to the 'Oath' and the 'Ordeal,'—these two papers complementary to the first and longest, on 'Religion and Criminal Law.' An exhaustive list of references to authorities always detracts from the readableness of a book, but it must be confessed that it is of advantage when the reader is not immediately convinced by his author. To

take one instance, Dr. Glotz asserts that the *θέμωτες* were, in origin, the decrees given by the head of a family, and bore a fundamentally religious character, while *δίκη* was interfamilial custom. It cannot be said that this distinction, as applied by the author, leads to erroneous conclusions, but it is unknown to older writers like Sir Henry Maine, and is on the face of it hard to reconcile with, e.g., the Homeric account of the Cyclopes—

τοῖσιν δ' οὐτ' ἀγοραὶ βουλευφόροι, οὔτε θέμωτες . . .

. . . θεμωτεύει δὲ ἕκαστος

παίδων ἢ δ' ἀλόχων, οὐδ' ἀλλήλων ἀλέγουσιν—

and not less with the description of Chiron as *Κενταύρων δικαιοτάτος* ('most civilised'). The present writer would ask consideration for the view that *δίκη* is ' (good) form,' and, while he believes that the use of *δίκην* for 'like' supports this, he suggests with some doubt that the word and its derivatives are to be connected not only with *δείκνυμι* but also with *decet*, *decus*, *decor* in Latin and *δοκεῖν* in Greek. It is possible thus to give a definite sense to the well-known lines in *Iliad* xviii. :

κέϊτο δ' ἄρ' ἐν μέσσοισι δῶν χρυσοῖο τάλαντα,

τῇ δόμεν ὅς μετὰ τοῖσι δίκην ἰθύντατα εἶποι—

a reward is given to that one whose statement of what 'good form' requires commends itself most to the judgment of all. But, if Dr. Glotz does not overweight most of his book with references, in one essay—on the 'Navy and the State'—where he develops an original view, he does furnish his reader with the means to test his statements. His conclusion is that on the much debated question as to what officers dealt with Cylon 'Herodotus is right without Thucydides being wrong: in Athens of the seventh century the archons are the political heads; but the kings of the tribes, prytanes of the naucraries, have the direction of the administration, judicial, financial, military, and naval.' There is not space here to discuss the question adequately: it must suffice to direct attention to this attractive attempt to harmonise our authorities in the light of what Homer says of Scheria.

T. NICKLIN.

Ancient Legends of Roman History. By ETTORE PAIS. Translated by MARIO E. COSENZA. (London: Swan Sonnenschein. 1906.)

THE essays which compose this volume were delivered as lectures at the Lowell Institute, Boston, and various American universities, as long ago as 1904, and published the next year. The English edition seems to have been delayed. It appears to us to be a book of considerable importance, not only as presenting to English readers the views which Professor Pais originally published in his *Storia di Roma*, but also on account of its intrinsic merits. The professor is not exactly a popular person with a certain class of scholars in his own country—various traces of this polemic are scattered up and down the present volume—and even outside Italy there is a general impression that he has been unnecessarily destructive in his criticism of the earlier history of Rome as it appears in the orthodox tradition. We think that it will require a good deal of argument to get rid of some, at least, of the historical considerations which are stated with such clearness and supported by such erudition in these studies. No one could be more ready to admit

than the author how much depends upon hypothesis, conjecture, inference, probability, in dealing with such intangible subjects as national traditions. But when we read his statement that the so-called walls of Romulus in the Palatine are not earlier than the Gallic invasion of 890, supported by the reasonable consideration that 'it is precisely on account of the lack of strong walls in the Palatine that the Romans entrenched themselves on the stronger Capitoline Hill' (p. 288), and then learn that in the course of the last few months graves containing objects of the fourth century B.C. have been discovered below the foundations of the 'walls of Romulus,' our confidence in other propositions made by Professor Pais is not likely to be diminished.

The subjects of the volume fall under two heads: those connected with the topography of Rome, including the significance of recent discoveries, and those dealing with traditional figures, such as Acca Larentia, Tarpeia, Servius Tullius, the Fabii, Spurius Maelius, &c. The former are, perhaps, the most valuable; indeed, it may be said that the topographical evidence pervades the whole book, since much use is made of it in the explanation of the historical legends. Professor Pais has not added another to the interpretations of the inscription of the famous Stele of the Forum, though he throws out the suggestion that *iouxmenta capia* may allude to the rite mentioned in the Eugubine Tables of chasing cattle and then recapturing them, and he is decidedly in favour of Milani's identification of *sora* with the god Soranus (p. 17). Another ingenious suggestion is that the *niger lapis* represented the *Roma quadrata* (i.e. the square stone that first marked the site of Rome), transferred, like the *figus Ruminalis*, from the region of the Lupercal to the Comitium (p. 284). Only, in that case, why did it not retain its name? There is an excellent passage on the misconceptions and false inferences which have grown up round that same phrase, *Roma quadrata*. 'All that is said in regard to the *Roma quadrata* of the Palatine to the effect that Romulus founded a square city is contradictory both to religious and to military theory, and to fact.' To the later and erroneous explanation 'there doubtless contributed the square form which the Palatine gradually assumed in the last century of the Republic and in the beginning of the Empire—a form due to the magnificent palaces erected along the edge of the hill' (p. 282, *sq.*). But indeed every page of the book is full of illuminating and original ideas. For the most part the translation reads well, and a certain number of un-English expressions do not detract from its value, nor can we say that much is added by the greater part of the illustrations. The most interesting of them is a reproduction of the fresco discovered at Pompeii some four years ago with the story of the origin of Rome, a picture in which Professor Pais finds much support for his views.

G. McN. RUSHFORTH.

The Age of Justinian and Theodora: a History of the Sixth Century A.D. By WILLIAM GORDON HOLMES. Vol. II. (London: Bell. 1907.)

THIS volume, the continuation of that which I noticed in vol. xxi. p. 558, is somewhat disappointing. After the long introductory matter

contained in the first volume it might naturally be expected that Mr. Holmes would give us an elaborate monograph upon Justinian's reign, which would gather up all previous research and at once take its place as the standard work upon the subject. But, though the author shows in places the tendency to discursiveness which was conspicuous in the previous volume, the work as a whole is short and inadequate; and it is clear that his strength lies in general descriptions, such as those of the internal administration and of Justinian's legislation, not in narratives, in which, generally careful and accurate though he is, he always seems to desire to bring the story to an end as quickly as possible, and, though the main facts are well brought out, the discussion of detail which we expect in a work of this kind is conspicuously absent. The composition of the book also shows signs of lack of revision: thus Antonina is mentioned on p. 569 as if she were a known person, though it is not till later that it is explained who she was; at p. 741, note 6, we want an explanation as to who 'the young people' were; the end of the story of John of Cappadocia is given in a note on p. 784, instead of in its proper place in ch. vii.; the story of Silverius is told three times, twice in detail; at p. 498, note 1, while the author speaks of seven provinces, his list contains only six names; on p. 554 'Venetians' are oddly joined with 'Franks' and 'external tribes'; on p. 682 he speaks of Dyrrhachium (why does he call it by the obsolete name 'Epidamnus'?) as in Dalmatia; and on p. 540 he writes as if Dara, Circesium, Edessa, and Zenobia were in Asia Minor. Considerable confusion is also shown in the note on the Armenian satrapies on p. 482; they were not in Armenia Minor, but in the district on the north of the Tigris which was annexed in 298, and it was not the satrapies but the hereditary tenure of them which Zeno abolished. It is a strange misreading of history to represent Athanasius as a leader of catholic rebels against an Arian persecutor (p. 527), and the statement that Totila established a senate of Romans and Goths (p. 645) is a misunderstanding of Procopius, who says that he caused Goths and Romans, senators and non-senators, to live in the city together. Mr. Holmes is generally acquainted with the latest research on the subjects of which he treats; but, as M. Chabot's edition and translation of this part of the *Chronicle* of Michael the Syrian appeared in 1901, the work should not be quoted in the Armenian epitome, nor should the *Chronicon Gallicum* be now cited under the misleading name of 'Prosper Tiro.' I must also claim to have shown that the disputed election at Alexandria was in 585, not 586.¹

There is one other point to which I must refer, because Mr. Holmes seems to be answering a criticism of my own. In my review of vol. i. I complained of his quoting the pedantic use of Βυζάντιον by Procopius as evidence that the name 'Constantinople' was not in common use in his time; and Mr. Holmes now writes (p. 744, note 2), 'A fallacy seems to have gained currency that Procopius is pedantic because he nearly always calls Constantinople Byzantium. He could not do otherwise without being singular: the new name is scarcely ever used, except in official documents and ecclesiastical writers.' No doubt

¹ *Bys. Zeitschr.* xii. 494.

the usage was part of the literary fashion of the time, and was not peculiar to Procopius: but this does not make it the less pedantic, and the whole point is that it is purely literary, and shows nothing as to the popular use of the new name. As in the previous volume, Mr. Holmes places far too much confidence in the *Anecdota* of Procopius, whom he describes as 'absolutely truthful' (p. 744), and he seems unable to realise that speeches are for historical purposes worthless. As in the previous volume also, the maps are wholly inadequate; and I must, as before, protest against the abuse of '*op. cit.*'; at p. 374, note 1, the references go back to vol. i.

The style of composition is far inferior to that of the first volume, in which the author seemed to be taking Gibbon as his model, and is marred by the constant introduction of extraordinary words, for the meaning of some of which I was obliged to consult Murray's *Dictionary*. 'Fluviatile vicinage' (p. 541) and 'a repetition . . . was reintegrated' (p. 675) are only two instances of a kind of phrase which occurs on almost every page; and worse than this is the use of words in altogether wrong senses, as 'convene' and 'arrest' for 'meet,' 'substitute' for 'replace,' 'latter' for 'last' (p. 528, l. 2). 'unaffiliated' for 'uninitiated,' and, worst of all, 'the Eastern Hemisphere' (p. 602), where 'the empire' is practically meant. Strange also is it to find it stated that a living man 'had already succumbed to age and infirmity' (p. 788). The meaning of the last sentence on p. 528 is beyond my comprehension. At p. 880 note 1, l. 3, a word has fallen out, and at p. 451, note 2, *τοπογράφες* is an odd blunder (the accent seems to show that it is not a misprint) for *τοπογραφία*. '622' for '628' (p. 889, note 3) is, perhaps, a printer's error. The special points to which I have called attention do not, of course, seriously detract from the value of the book; but it is much to be regretted that Mr. Holmes, with his great industry and ability, has produced a work which, with many merits, is too long for a popular narrative and too short for a monograph. The two volumes have a continuous pagination, and, by an extraordinary omission, the numbers are not given on the covers, so that they present the appearance of duplicates.

E. W. BROOKS.

Untersuchungen zur Überlieferungsgeschichte der ältesten lateinischen Mönchsregeln. Von HERIBERT PLENKERS. (München: Beck. 1906.)

DR. PLENKERS, formerly one of the compilers of the *Thesaurus Linguae Latinae*, has in preparation for the Vienna *Corpus* of Latin ecclesiastical writers an edition of all the monastic Rules written prior to 800. The plan of that series does not permit of elaborate treatment of the manuscript tradition in the prefaces. Editors who desire to publish such a treatment may do so in the *Sitzungsberichte* of the Vienna Academy or elsewhere. The work of Dr. Plenkens appears as the third and concluding part of the first volume of Ludwig Traube's new series, *Quellen und Untersuchungen zur lateinischen Philologie des Mittelalters*.¹ The work is

¹ Since this review was written came the sad news of Traube's death, after a long and painful illness, on 19 May. The loss to the study of medieval history and of Latin paleography is irreparable.

divided into two main parts and a triple appendix. The first part is concerned with the manuscript tradition of the collection of rules made by Benedict of Aniane in the eighth century. The second part carries on and supplements the well known work of his master, Traube, on the manuscript tradition of the greatest of all the rules, that composed by St. Benedict of Nursia. The subjects of the appendixes are Holsten and the St. Maur editors, the Rule of Cassian, and the martyrology in the Escorial MS. (I. III. 18). The photographs consist of two pages of the recently recovered manuscript of Munich. This manuscript, which belonged to the famous collection of St. Maximin at Treves, was used by Holsten, but disappeared in the troubles of the early part of the nineteenth century. It was found in 1902 in the Görres collection, and was secured for the state library at Munich, where it now bears the designation Lat. 28118. The writing of the left-hand column of the first page at once recalled to the present reviewer that of another manuscript formerly of St. Maximin at Treves, and now in the collection of Ghent. The manuscript referred to² is dated *saec. X ex.* by the Ghent catalogue, but, if my recollection of four weeks' study of the manuscript serves me right, the same scribe must have written both, and it therefore belongs to the first half of the ninth century. This same manuscript has been shown to stand in the relation of a brother to a Reichenau MS., and thus provides an illustration of a reference which Traube makes on p. ix of this book to the discoveries made by a Reichenau copyist at Treves. These remarks may be excused in view of the fact that the description of this manuscript is the principal addition which Dr. Plenkers is able to make to the epoch-making work of Traube.

The *Codex Regularum* is only one of the works which Benedict of Aniane prepared for the use of his monks. He provided also a *Concordia Regularum*, which exists in seven manuscripts, the relation of which to one another is worked out by Dr. Plenkers. The nearest to the archetype are F (Orléans 283, *saec. x.*) and W (Verdun 86, *saec. xi.*) The relation of the *Concordia* to the *Codex Regularum* and the character of Menard's edition are also discussed. The third work of Benedict of Aniane, a collection of homilies from the fathers, appears to have perished.

The history of the Rule of St. Benedict of Nursia in the middle ages was related in the celebrated monograph of Traube, which is a model of what such investigations should be. He showed that there exist in manuscript two recensions, one of which was circulated in the pre-Carolingian period, while the other is due to direct action on the part of Charles the Great himself. The rough distinction between the two recensions is that the pre-Carolingian Vulgate shows changes, partly intentional, partly accidental, from the true text. Charles had a diplomatically exact copy of the original autograph of Benedict made, and of this copy a careful transcript exists at St. Gall (cod. 914). A very exact edition of this recension, which is found in several other manuscripts also, appeared at Monte Cassino in 1900, in which Dom Germain Morin of Maredsous

² Manuscript G of the Pseudo-Augustinian *Quaestiones Veteris et Novi Testamenti CXXVII* (see *Sitzungsberichte der Kaiserlichen Akademie der Wissenschaften in Wien*, Phil.-Hist. Kl. cxlix. 12f, 16ff.)

collaborated. The pre-Carolingian form is represented by the great bulk of our authorities, but these it is difficult to classify, partly because they differ considerably from one another in certain passages, partly because they are often disfigured by erasures and marginalia. In this connexion Dr. Plenkers discusses the 'Regula Donati,' the Spanish MSS., the interrelations between the recensions, and the 'Regula Magistri.' It is of interest to recall that one of the oldest manuscripts of the interpolated recension is a Bodleian treasure, Hatton MS. 48, written in the seventh century at Canterbury, in a thick uncial hand, which consciously imitates the Continental script (Dr. Plenkers' *O*).

The appendixes are of interest and importance. The first, on Holsten and the Maurists, contains a copy of the literary correspondence between Holsten and Cardinal Barberini and between Dom Adam and Dom d'Achery. This correspondence illustrates the eagerness with which Holsten and the Benedictines searched far and wide for manuscripts, and is a valuable addition to our knowledge of seventeenth-century patristic scholarship. The second appendix proves that a Rule of Cassian does exist, in spite of the doubts which some have felt, and in this appendix the welcome news is communicated that the author has found it complete in the Munich MS. and a fragment of it in Cod. a I. 18 of the Escorial. A satisfactory edition however is, in his opinion, impossible, and he has here printed extracts from it. The philologists will note a new example of *prode erit* (= *proderit*) on p. 88, line 7. The book ends (apart from the beautiful photographs) with the already-mentioned martyrology from the Escorial MS. It was known to De Rossi, but has never been published complete before. If the dating of the manuscript be right (a Visigothic script of the closing eighth or early ninth century) this manuscript is actually the oldest known Spanish manuscript of any martyrology.

This careful and neat piece of work, which deserves the highest commendation, is introduced by a felicitous preface of Traube's, in which paleographers will find the illuminating help they expect. In the second footnote on p. vii '45' should read '4, 5.'

ALEX. SOUTER.

Le Comté d'Anjou au XI^e Siècle. Par LOUIS HALPHEN. (Paris: Picard. 1906.)

Etudes sur les Chroniques des Comtes d'Anjou et des Seigneurs d'Amboise. Par LOUIS HALPHEN. (Paris: Champion. 1906.)

ALTHOUGH M. Halphen concludes his study at the death of Fulk de Réchin (1109), before the fortunes of Anjou begin to be intimately connected with those of Normandy and England, he has much to say which is of interest to English students. He pays Miss Norgate the compliment of subjecting some parts of *England under the Angevin Kings* to a thorough criticism. It is, he tells us, the only serious book, since the *Art de vérifier les Dates*, which attempts to handle the history of eleventh-century Anjou as a whole. This praise is immediately qualified by the remark that her treatment *pèche trop souvent par une information insuffisante et une critique trop superficielle*. M. Halphen makes too little allowance for the state in which Miss Norgate found the sources. In 1887 the documents of which M. Halphen gives a catalogue, extending to all but a hundred

pages,¹ were largely inaccessible; and the literary sources had not yet been completely sifted. Miss Norgate receives no harsher treatment at the hands of M. Halphen than he accords to Arbois de Jubainville, La Borderie, and other distinguished French writers. But we are bound to admit that Miss Norgate's picture of the early Angevins requires to be modified in some important details.

The most sensational part of her work is that which deals with Fulk the Black. Through an error as to the date of his birth she makes him eight years old at the moment when he succeeded his father, Geoffrey Grisegonelle (987). This leads to the absurdity of supposing that he was only a boy of thirteen when he won the victory of Conquereuil (992)—a conclusion from which Miss Norgate does not shrink. She repeatedly insists upon the marvel of such exploits performed by a mere stripling. M. Halphen however produces a charter of the year 974 which is attested by Fulk,² and remarks that the *Chronique de Nantes* speaks of him as twenty years old at the time of Conquereuil. Miss Norgate's original error lay in assuming that Fulk was the son of his father's second wife, Adela of Chalon; but the argument which she advances is one of mere probability (i. 185-6), and she would have been better advised to let Fulk's age remain an unsolved problem. Nothing has done more to confirm the existing prejudice against historical synthesis than the practice of weaving problematical detail so closely into the texture of a narrative that the reader cannot distinguish between what is certain and what is only speculation. Miss Norgate's account of Fulk's first wife, Elizabeth of Vendôme, is another instance of this misleading method. 'In the very dawn of the dreaded year 1000 Countess Elizabeth expiated her real or supposed sins as a wife by death at the stake; and a conflagration which destroyed a large part of the city of Angers immediately after her execution may well have caused the horror-stricken subjects of her husband to deem that judgment was indeed at their gates' (i. 152). It is, to say the least, an unnecessary challenge to the critics when Miss Norgate thus assumes that there was a millenary panic in the year 1000. But her confident statements as to the manner in which the countess Elizabeth perished are more important, because they are used to heighten the colouring of a character sketch which she has already over-painted. The narrative of M. Halphen forms at this point an amusing contrast to that of Miss Norgate. The French critic says, *Cette union ne dura qu'un temps fort court, la comtesse ayant trouvé la mort en l'an 1000 dans un terrible incendie*, and adds, in a note, the remark that *une légende se forma de bonne heure pour expliquer cette mort*.³ We may notice in passing that even M. Halphen does not here show the rigid respect for his authorities which the canons of his school require. Elizabeth was the wife of Fulk as early as the year 989; the duration of the marriage was, therefore, at least eleven years. Furthermore, the primary source for Elizabeth's fate⁴ seems to exclude the hypothesis that she perished in a general conflagration. The text of the passage runs as follows: *M.—Prima incensio urbis Andegave, que evenit paucis diebus*

¹ *Comté d'Anjou*, pp. 244-342.

² *Ibid.* p. 244.

³ *Ibid.* p. 62.

⁴ The *Annals of St. Aubin*.

*post combustionem comitisse Helisabeth.*⁵ It is possible that Fulk's relations with Elizabeth were unhappy. One child only was born of the marriage; in the catalogue of Fulk's acts we find no provision made for the health of her soul; the pilgrimage of 1008 may have been due to remorse for the crime of her death. But the first authority which imputes such a crime to him is the *Histoire de Saint-Florent de Saumur*, which dates, in its present form, from the end of the twelfth century, and is untrustworthy for several reasons. The *Histoire* apparently connects the death of Elizabeth with a revolt of Angers not otherwise mentioned in our texts. The whole subject is enveloped in mystery, and the only sound course is to put on one side the history of Elizabeth in estimating the character of her husband.

A more celebrated puzzle in the biography of Fulk is that presented by his pilgrimages to the Holy Land. Here, as elsewhere, M. Halphen finds good reasons for joining issue with his predecessors. It is now admitted on all hands that Fulk visited Jerusalem about 1008, and again about 1089. But did he make other pilgrimages; and, if so, how many and at what dates? These questions have received the most various answers. M. Halphen chiefly concerns himself with the theories of Miss Norgate (i. 192 and of M. Jules Lair.⁶ We give, for the sake of clearness, their lists of pilgrimages and that of M. Halphen in parallel columns:—

<i>Lair.</i>	<i>Miss Norgate.</i>	<i>Halphen.</i>
(1) 998 'Probable; not certain.'		
(2) 1005.	(1) 1008.	(1) 1008.
(8) 1012.	(2) 1014-5.	(2) 1008-1010.
(4) 1085 'Probable.'	(8) 1084-5.	
(5) 1089.	(4) 1040.	(8) 1089.

We may remark that M. Halphen is here in substantial agreement with M. Mabille, the editor of the *Chroniques des Comtes d'Anjou* (1871); these two experts concur in recognising no more than three pilgrimages, and only differ (this to a slight extent) on the question of dates. On the other hand Miss Norgate's hypothesis of a crusade in 1084-5 has the support of M. Lalanne,⁷ whom, indeed, she appears to have followed. The opinions of M. Lair, so far as they are peculiar to himself, need not detain us long. His pilgrimage of 998 is deduced from the absurd legend of Crescentius, which is first told by Jean of Marmoutier, the twelfth-century interpolator of the *Gesta Consulum Andegavorum*. This legend is carefully discussed by M. Halphen in his special study on the chronicles of Anjou (p. 41). The idea of extracting from it any grain of historical fact is in contradiction to all the principles of sound criticism. The date of 1005, which M. Lair assigns to the pilgrimage attested by Marchegay's document, is obtained by misdating both this and another charter. The date of 1012 for the third on his list (corresponding to the second in the lists of Miss Norgate and M. Halphen) is based on the assumption that Fulk Nerra must have been personally connected with Sergius IV (†1012), because of the tradition in the *Gesta Consulum*.

⁵ *Recueil d'Annales angevines et vendômoises* (ed. L. Halphen, Paris, 1903), p. 3.

⁶ *Etudes critiques sur divers Textes des X^e et XI^e Siècles*, i. 73.

⁷ *Bibl. de l'Ecole des Chartes*, xxxvi. 882 (1878).

What is the evidence for this pilgrimage variously dated in 1008-10, 1012, 1014-5? The question is worth pressing, because the three critics with whom we have to deal are agreed in assuming that such a pilgrimage took place. But the evidence is not so strong as one could wish. M. Halphen thinks highly of the *Fragmentum Historiae Andegavensis*, commonly (and, as he maintains, rightly) attributed to Fulk Réchin. Now the *Fragmentum* is emphatic in stating that Fulk Nerra made two pilgrimages and no more: *bis Ierusalem adiit, in cuius secundo reditu rebus humanis excessit*. If we accept this statement we must conclude that Fulk Nerra never visited the Holy Land except in 1008 and in 1039. And on a point of family history we should expect to find the *Fragmentum* correct, whether it be the work of Fulk Réchin or not. M. Halphen quietly assumes that our text of the *Fragmentum* is at this point corrupt: *le manuscrit que nous possédons de la chronique de Foulque de Réchin fait erreur en n'indiquant que deux pèlerinages*.⁸ On the other side he cites three authorities. Ralph Glaber is the first: *Fulco, Andegavorum comes, de quo superius quedam retulimus, ter Iherosolimam iam perrexerat, veniensque Metensem urbem, ibidem obiit*.⁹ The second is the above-mentioned *Histoire de Saint-Florent*, of which the earlier portions were written about sixty years after the death of Fulk Nerra. To this source we owe the statement that Fulk Nerra founded the house of St. Nicholas at Angers (about 1020) *secundo ab Ierusalem reversus*. The third, the *Miracles of St. Nicholas*, written about the year 1080, also tells the story that this foundation was made subsequently to a pilgrimage, but leaves it possible to suppose that the pilgrimage in question may be that of 1002-2. Setting aside the evidence of the *Miracles* as inconclusive, we have the *Fragmentum Historiae* on one side, Glaber and the *Histoire de Saint-Florent* on the other. Of these three authorities the *Fragmentum Historiae* is the best; Glaber writes from hearsay, and the *Histoire* is full of legendary matter. There are, then, grave reasons for questioning the reality of this pilgrimage. Miss Norgate falls back upon a passage in the *Abbreviationes* of Ralph de Diceto,¹⁰ which is apparently founded upon a lost recension of the *Gesta Consulum*. According to the *Abbreviationes* Fulk made three pilgrimages. The first was after his victory at Conquereuil over the Bretons (in 992), and before the birth of his son Geoffrey Martel (1006). The second was begun in the time of Pope Sergius (†1012), who blessed the count on his way through Rome. He left his son (at most six years old) as his representative in Anjou and was absent a year and a half; during his absence Geoffrey revolted. Fulk on his return founded the church of Beaulieu (1006-7), and he revenged himself by the victory of Pontlevoy (1016) for the depredations which Eudes of Blois had committed on his territory. Such is the account in Diceto. It may be explained on the hypothesis that three pilgrimages are here confused, but can hardly be adduced to prove anything whatever.

The arguments against the supposed crusade of 1034-5 are strong, and are accepted as conclusive by M. Halphen. The *Gesta Consulum* make Fulk the companion, on a pilgrimage, of Robert the Devil, duke of Normandy, who died at Nicaea in 1035; but the same authority puts the

⁸ *Comté d'Anjou*, p. 216.

⁹ Ralph Glaber, iv. 9.

¹⁰ Vol. i. 164, Rolls ed.

date of the journey before the foundation of Beaulieu (1006-7), which is nearly thirty years before the duke started for the Holy Land. Obviously we have here a legend fabricated with the idea of bringing together two famous and contemporary pilgrims. Miss Norgate, who makes light of this part of the *Gesta* as 'a ridiculous tissue of anachronisms,' is, oddly enough, inclined to treat Diceto with more consideration. She argues, from the narrative analysed above, that Fulk must have made some pilgrimage after his son was old enough to act as regent and before the journey of 1089, from which he never returned to Anjou. But her most weighty piece of evidence is a charter bearing the date 1088, and granted by Fulk Nerra *priusquam ad Ierusalem ultima vice perrexisset*. This curious note of time is in itself enough to create a presumption against the genuineness of the document in which it occurs. The tense of the verb would naturally point to a pilgrimage already completed, from which Fulk had returned at the time of writing. Again, the charter cannot be of the year 1088, for it mentions as the contemporary abbot of St. Aubin one Walter, who did not enter on that office until 1086. The charter is known to us only through late copies taken from the lost cartulary of St. Nicholas. M. Halphen, who treats it as genuine, emends the last clause (p. 254) so as to produce the date 1088: *anno MXXX[V]III ab Incarnatione Domini, die Nativitatis Beatae Mariae, qui est annus [V]III Henrici regis*. He then contends that it refers to the pilgrimage of 1089, and translates the words *priusquam . . . perrexisset* thus: *au moment de partir une dernière fois à Jérusalem*. We do not like the translation, nor do we like the appearance of the document. It looks as though a copyist at St. Nicholas had attempted, none too skilfully, to make a charter out of a *notitia* by substituting the first person for the third in the passages which refer to Fulk. A *notitia* written after the death of Fulk might well contain the words *priusquam ad Ierusalem ultima vice perrexisset*. This suggestion however is offered by the way; the point on which we would insist is the difficulty of using this so-called charter as authoritative evidence for the chronology of Fulk Nerra. Even if M. Halphen is wrong in his emendation of the date, the document does not warrant the hypothesis of a pilgrimage in 1084-5.

This question of diplomatic leads us naturally to speak of the 'Catalogue d'Actes,' which forms a considerable part of the volume. M. Halphen has catalogued 328 documents as possessing some claim to be genuine; they range from 974 to 1120 A.D. He adds a supplementary list of forged documents, eleven in number, and prints *in extenso* seven documents of some interest for Angevin history. His third appendix is a most valuable and interesting examination of the foundation charters of Beaulieu. Respecting the 'Catalogue' we would remark that it contains three documents which are characterised as forgeries by M. Halphen himself, and should, therefore, be relegated to the supplementary list (pp. 256, 264, 272). Great pains have been bestowed on the bibliographical notes, and also on the dating, for which arguments are given when necessary. We only wish that the analysis had been fuller; the witnesses are usually omitted and so are the dating clauses.

There are two charters indirectly relating to the history of Anjou which emanate from the chancery of William the Conqueror. These are

connected with the struggles between Anjou and William for the possession of Maine, and they enable us to fix in some degree the chronology of these wars. The chroniclers vary between 1062 and 1068 as the date for the original reduction of Maine by William. One of the charters which M. Halphen has calendared furnishes a conclusive proof that the issue was still undecided in 1068.¹¹ We know from Orderic that Robert was invested with Maine by his father. A document in the unpublished *Cartulaire de Saint-Pierre de la Couture et de Saint-Pierre de Solesme* proves that in 1068 Robert's title was still recognised by the Manceaux.¹² But the same cartulary proves that Azzo of Este and his son were already in Maine by 2 April 1069.¹³ This is three years earlier than the date commonly assigned—e.g. by Sir James Ramsay (*Foundations of England*, ii. 99)—but there can be little hesitation in accepting it. One year is far too short a period for all the events which are recorded in the *Gesta Pontificum Cenomannensium* as falling between the arrival of Azzo and William's campaign of 1078. The starting-point of that campaign is fixed by a document which Mr. Round has calendared¹⁴ and to which M. Halphen refers (p. 181). This is a charter of confirmation to St. Pierre de Solesmes, granted by William I at Bonneville-sur-Touques on 80 March 1078. It is evidently of the same date as another charter to St. Vincent le Mans.¹⁵ From the lists of witnesses we gather that Arnaud, bishop of Le Mans, with some of his supporters hurried to meet the Conqueror before he set foot on the soil of Maine. A charter issued at Le Mans 'by the hand of William, king of the English, who was at Le Mans at the time on certain business of his,'¹⁶ bears no date, but apparently belongs to the summer of the same year. Two charters of the year 1074 show us the king deliberating peacefully, surrounded by his court, at Lillebonne and at Rouen.¹⁷

A charter issued by Robert, as count of Maine, at Le Mans, apparently after the year of conquest, may be taken as a proof that, at some time subsequent to the conquest, the young count was actually allowed to appear among his subjects.¹⁸ It should be compared with a writ addressed by William I to Bishop Arnaud (†1061), Count Robert, Robert count of Mortain, Ingelram son of Ilbert, and R. Giffard respecting the lands of St. Julian's, Le Mans.¹⁹ This indicates the manner in which Maine was administered between 1078 and the date of Robert's revolt (about 1077). We may safely assume that the three persons whose names are associated with that of the young prince were really responsible to his father for the safe keeping of the country. Ingelram, son of Ilbert, is one of the knights who had served under William in 1078; ²⁰ he afterwards rose to distinction at the court of Duke Robert,²¹ and we may perhaps regard him as the castellan of Le Mans. The date at which Robert became dissatisfied with his position of tutelage can be roughly determined from some later charters. In 1077 he was still at his father's court, for he is found joining in that year with William I to attest a donation to St. Stephen's of Caen.²² But after this there is

¹¹ *Comté d'Anjou*, p. 298.

¹² *Op. cit.* p. 180 n.

¹³ *Ibid.*

¹⁴ *Calendar of Documents, France*, p. 526.

¹⁵ *Ibid.* p. 367.

¹⁶ *Ibid.* p. 425.

¹⁷ *Ibid.* pp. 58, 529.

¹⁸ *Ibid.* p. 367.

¹⁹ *Ibid.* p. 359.

²⁰ *Ibid.* p. 425.

²¹ *Ibid.* pp. 399-400.

²² *Ibid.* p. 154.

a gap of three years. He next appears at court in July 1080,²³ and a year later his father obtained his recognition by Count Fulk as the lord of Maine.²⁴ Of the internal history of Maine during this period of eight years we learn little; but M. Halphen has unearthed a charter which describes how Fulk Réchin was wounded when besieging the castle of La Flèche (in 1076), and found himself in consequence compelled to break up the siege;²⁵ and there is another in the *Chartulaire de Saint-Vincent du Mans* (ed. Charles and Menjot d'Elbenne, vol. i. no. 99), which speaks of a truce concluded between William I and Count Fulk, apparently about the year 1079. These documents enable us to supplement the meagre details of Orderic and the minor annalists. It is to be regretted that M. Halphen has not dealt more fully with the history of Maine. The documents calendared by Mr. Round, although they throw considerable light upon this side of Angevin relations with Normandy, are imperfectly utilised in this otherwise excellent study. But we would rather express gratitude for what M. Halphen has done than carp at his omissions. His larger book should be of immense assistance to all those who have occasion to touch upon the early history of Anjou; and the special essay which he has devoted to the chronicles is a notable contribution to the bibliography of the subject.

H. W. C. DAVIS.

Philipp II August. Band II. 'Der Kreuzzug, 1187-1191.' Von Dr. ALEXANDER CARTELLIERI. (Leipzig: Dyk. 1906.)

IN this volume Dr. Cartellieri carries his monumental biography of Philip Augustus some four years further forward, and incidentally treats in some detail the *Vorgeschichte* of the third crusade, and its course as far as the capture of Acre. Every particle of evidence seems to have been examined by the learned author, and every detail and date to have been minutely considered and precisely fixed. The whole European literature for the period of which he treats is well known to Dr. Cartellieri; he is deeply versed in all our English chronicles, and in all the documents which concern the history of the third crusade. There is an excellent bibliography at the beginning; there are a number of appendices at the end, one of which (pp. 288-301) gives a register of 168 documents of Richard I from August 1189 to January 1192, while another contains a full account of the literature which has gathered round the Courtois collection of documents (mostly records of loans to crusaders), which suddenly appeared when Louis Philippe instituted the *Salles des Croisades* for the names and arms of families whose members had taken part in the crusades.¹ A third appendix contains extracts from an unprinted Latin continuation of William of Tyre, preserved in the British Museum, to which Stubbs had already referred in his preface to the *Itinerarium*, and

²³ *Op. cit.* p. 327.

²⁴ Halphen, p. 184.

²⁵ *Ibid.* p. 311.

¹ Dr. Cartellieri's opinion of the collection is indicated in the words, *Ich habe alle Urkunden der Sammlung Courtois sorgfältig von der Benutzung in diesem Buche ausgeschlossen.* As he remarks, this collection, if it is not genuine, represents the greatest and most shameless forgery of all time, a forgery committed in the full light of the nineteenth century, in Paris, close to the Ecole des Chartes and the Bibliothèque Nationale (p. 322).

which is largely identical with the *Itinerarium*; while a full index, and genealogies of the Angevins and Montferrats, add still further to the reader's profit. In every way Dr. Cartellieri's work is—to use the adjective which he himself applies to Stubbs's preface to the *Itinerarium*—*inhaltreich*; and it is also exceedingly well arranged and adapted for convenience of reference. It cannot for an instant be neglected by the historian of France, and the historian of England or of the Crusades would be wise to consult its pages.

One of the most suggestive features of the volume is the author's sketch of the financial development which preceded and accompanied the third crusade. He points out how Louis VII began the practice of taxation in the interest of the crusade in 1146, and how this practice developed until finally it may be said that 'from the needs of the Holy Land, which compelled to sympathy all who bore the name of Christian, springs the financial system of modern times.' For this taxation *in sustentationem terrae Hierosolymitanae*, first of all recorded taxation, drew within its sphere both clerk and lay, both realty and personalty; and imitated from France by the Angevin kings of England, it became the model of our medieval direct taxation—of our clerical tenths, and our lay tenths and fifteenths.

The contrast and conflict of Richard of England and Philip of France occupy almost the whole of the volume, and of Dr. Cartellieri's method of handling this contrast it may be said, that he is just to Philip without being unjust to Richard. His comparison of the two kings will bear quotation:—

The ideal of Philip Augustus lies before him: above all he will be king, and at any price he will increase the kingdom committed to his charge. His personality passes into the service of an all-embracing system of policy. Richard thinks only of himself: he will be the strongest and boldest of knights. His ideal lies behind him, in the time of the ancient paladins, of whom the *chansons* told. Philip Augustus thinks of codicils of treaties and courts of law; Richard's thoughts are of the shivered spears and cloven shields.

ERNEST BARKER.

Borough Customs. Edited for the Selden Society by MARY BATESON. Vol. II. (London: Quaritch. 1906.)

It is some small set-off to the irreparable loss which medieval studies have suffered in the sudden and untimely death of Miss Bateson that she lived just long enough to complete the most difficult and toilsome of the tasks which awaited her in that field of English municipal antiquities which she had made so entirely her own. Unhappily it may now be long before we get the collection of typical borough charters and the history of English urban origins which we were looking to her with some confidence to provide. But the intricacies of borough law and its relations to the common law are dealt with in her two Selden Society volumes with such fulness, width of learning, and acuteness as to leave nothing but the gleaner's portion to future workers in that part of the subject. The extracts from the customals in this second volume, arranged under the headings 'Borough Court Rules' and 'Seignorial

and Family Law,' fill about a third less space than those in its predecessor, thus leaving room for the masterly Introduction of 150 pages on the nature and derivation of borough custom, which Maitland, to whom Miss Bateson owed so much in inspiration and advice, and who was fated to survive her by so brief an interval, justly distinguished as much the strongest piece of work she had done. The width of reading and research it shows is extraordinary, but more remarkable in one untrained to the law is the easy grasp of legal subtleties, often quite remote from modern conceptions, and the skill with which each piece of borough custom is referred to its proper affinities in the general progress of early legal ideas.

For the existence of a special borough law, divergent in many respects from the general law of the land, we have to thank the charters of privilege which tended to stereotype in the towns early custom which the royal lawyers of the twelfth and thirteenth centuries transformed or eliminated altogether from the common law. Its retention might be harmful or at least only incidentally useful, as in the case of the compurgatory oath in criminal causes, or it might be decidedly advantageous, as witness the borough freedom of devise of land; or again, it might amount to no more than a picturesque survival which did neither good nor harm, like the oath 'super mortuum.' All alike throw light upon the antecedents and evolution of that common law whose victory even in the boroughs was only delayed. These, of course, are no new discoveries, though they have never before been worked out with such wealth of comment and illustration. More original is the exposition of the double origin of the peculiar features in borough law. Much of it, no doubt, was archaic survival—early folk-custom which had persisted under the specially favourable circumstances to which allusion has been made. But there was also much that cannot be traced to this source, for which some other origin must be sought. Miss Bateson refers to this category even the peculiar extra-judicial distraint of the 'foreigner' by the burgess for debt, the exercise of which by a non-burgess would, as is pointed out, have brought him to the gallows. It is true that this burghal privilege has hitherto been regarded as a species of self-help of primitive antiquity, but Miss Bateson prefers (and gives good grounds for preferring) to see in it 'the outcome of a royal grant, made to overcome a special difficulty, the difficulty arising out of the commercial credit given between men who dwelt within two several jurisdictions.' There are however other features of borough law which are more obviously referable to the same source, and which lend confirmation to the hypothesis which sees in the 'special peace' of the borough the 'grith' which protected the king's own house. In the older and more highly privileged towns, at all events, the borough peace had a special sacredness, and the borough court enforced it by a vigorous process of execution which in origin was no other than the royal 'ban.' The 'year and day' which figures so prominently in borough law, especially in the customs relating to distress and cesser of rent, as a limit to contumacy or to the power of entering a claim, seems to be a sort of foreban which must be traced to the same administrative source.

Though the borough customs, which were thus a mixture of folk-law

and royal administrative law, lagged behind the common law in many striking respects, we are not to suppose that they were characterised by an absolutely Chinese immobility. On the contrary, Miss Bateson adduces ample evidence that where their special law pinched them without giving them advantages over non-burgesses, the most advanced boroughs were not slow to get it altered. The common law itself did not apparently disdain to borrow an occasional idea from the custom of the royal boroughs. In one of the most interesting sections of her introduction, Miss Bateson boldly challenges Maitland's derivation from Roman law of the landlord's recovery of land for rent arrear by the writ 'cessavit per biennium,' introduced by the Statute of Gloucester in 1278. The 'cessavit' action differed from the law of Justinian in requiring (1) that the land must have lain 'fresh' for two years and that there should be no distrainable goods upon it, and (2) a legal judgment as well as lapse of time before the landlord was allowed to enter. It is just in these features that the statute agrees with the ancient remedy given to the landlord in certain royal boroughs, for example, Winchester and the Cinque Ports.

To advert to even a tithe of the many other questions of legal history and primitive culture raised in these pages would extend this notice to too great length. We will only note in conclusion, for the benefit of some student of law in search of a subject, Miss Bateson's remark that the history of wardship in the boroughs still awaits and will reward its historian.

JAMES TAIT.

The Princes of Achaia and the Chronicles of Morea: a Study of Greece in the Middle Ages. By Sir RENNELL RODD, G.C.V.O., K.C.M.G., C.B. (London: Arnold. 1907.)

SIR RENNELL RODD possesses almost every qualification for writing the history of Frankish Greece. He knows the country and has shown in his poems that he realises the intense charm of the Greek landscape; he thoroughly appreciates the extraordinary romance and burning personal interest of the Greek middle ages; he is familiar with the various languages in which the scattered materials of Frankish history are to be found; he has mastered most of the authorities, a work of no small labour; and, above all, he has succeeded in giving us a living picture of this brilliant and fascinating epoch, when tournaments were held on the isthmus, when troubadours sang lays of love and war in the frescoed castle of Thebes, when mass was celebrated in the great cathedral of Our Lady on the Akropolis. In a word, he has clothed with flesh and blood the skeletons, whose every bone Hopf had labelled and docketed so carefully in the great, trackless catacombs of Ersch and Gruber. Nothing better expresses the spirit of Frankish Greece, its strange contrasts and its unnatural juxtapositions, than the last paragraph of his fourth chapter, where every sentence is an historical fact; yet every historical fact might form the subject of a poem, a drama, or an historical novel.

Amid the *disiecta membra* of medieval Greece some facts must inevitably escape even the most lynx-eyed student, while even Hopf was

not always infallible. It may, therefore, be well to indicate some of these errors, mostly of omission, which do not impair the value of the work for the vast majority of readers. There is no authority for the statement (i. 74) that 'the Thessalian plain was divided between two brothers from Canossa.' Hopf assumed it from the fact that Henri de Valenciennes calls Albertino *sires des Estives*; but the Thebes there mentioned was not that in Phthiotis, but the Boeotian city, which Albertino temporarily captured during the Lombard rebellion. It is probable that the two brothers received fiefs in Boeotia; for Innocent III¹ mentions 'Rupo,' which Sir Rennell Rodd rightly identifies with the *skala* of Oropos (the latter is called 'Ripo' by Nicolaus de Marthono²), as having belonged to them. It is misleading to say (i. 156) that there are 'no documents for the history of Euboea, between 1216 and 1255,' and that 'the last letter in which Count Maio of Cephalonia is referred to belongs to the year 1207.' We have the dismemberment of the see of Negroponte and the amalgamation of the three other Euboean bishoprics with it by Honorius III, and a good deal is known about the first palatine count of Cephalonia, who came, as the Aragonese chronicle tells us, from Monopoli—a statement confirmed by the fact that Innocent writes to the bishop of Monopoli about him—and probably married Margaritone's heiress. The oath of fealty which the first catholic bishop of Cephalonia took to him has been preserved,³ and Gregory IX, as late as 1238, writes to *Madio comiti Cephalonis et Iacinti*, while a letter of this pope in the same year mentions the triarch Marino I dalle Carceri.⁴ On the subject of Georgians at Athens (i. 145) the author makes no mention of the very probable explanation given by Neroutsos⁵ that Madame de Freygang, who first tells the story, confused 'a mountain near Athens' with Mount Athos, where, as Mr. F. C. Conybeare kindly informs me, there were many Iberian monks. Professor Lámpros⁶ has proved that Alexius Bambaoratus was not Alexius I, but either Alexius III or Alexius Mourtzouphlos; and the 'Michalis' (i. 106) mentioned by Villehardouin is obviously Michael I of Epiros, while Fallmerayer's theory of a retreat of the Athenians to Salamis before the Slavs during the dark ages (i. 145 n. 8) has been shown to refer to the three years' exile on that island between 1688 and 1690.

The documents published last year by Professor Lámpros⁷ necessitate corrections of the dates given for the death of Roger de Luria, the appointment of Louis Fadrique, and the capture of the Akropolis by Nerio Acciajuoli; while the 'Travels' of Nicolaus de Marthono⁸ have proved that Salona fell before April 1395, and have thrown much fresh light on the quarrel between the two sons-in-law of Nerio. It is clear

¹ *Epp.* xiii. 144, 154.

² *Liber Peregrinationis* in *Revue de l'Orient Latin*, iii. 655.

³ *Byzantinische Zeitschrift*, xv. 611, note.

⁴ *Les Registres de Grégoire IX*, ii. 860, 1045; Lámpros, "Εγγραφα ἀναφερόμενα εἰς τὴν μεσαιωνικὴν ἱστορίαν τῶν Ἀθηνῶν, pp. 39, 40.

⁵ Δελτίον τῆς Ἱστορικῆς καὶ Ἐθνολογικῆς Ἑταιρίας, iii. 52, 53.

⁶ Ἱστορία τῆς πόλεως Ἀθηνῶν, i. 439, note 1.

⁷ Εγγραφα, pp. 119, 286-7, 289-90, 314.

⁸ *Revue de l'Orient Latin*, iii. 652, 656-61.

too, from the Acciajuoli correspondence and from a document kindly communicated to me by Don Antonio Rubió y Lluch,⁹ that a personality hitherto unrecognised, Bertranet Mota di Salahaia (? Le Stala), was a most important factor in the history of that period, whose recapture of Livadia from the Turks enables us to reconcile Chalkokondyles with the statement in Nerio's will and to explain why Nerio left that city to the bastard Antonio. Don Antonio Rubió y Lluch is surely correct too in explaining San Superan's name *Bordo* as meaning 'the bastard,' while the word *universitat* in the Catalan document, which Sir Rennell Rodd cites (ii. 284) as proof that the Catalans founded an Athenian university, simply means 'the community' of Athens—a sense in which it is also applied to Thebes, Salona, and Livadia. Francesco Crispo was not a 'Venetian,' but a Lombard from Verona, and it is an exaggeration to say that there are no monuments of Catalan rule in Attica or Boeotia. The Catalan Madonna at Athens, the castle of Livadia, and the row of towers near Moulki, are all, in part at least, of Catalan workmanship. The mysterious Gothic letters on the west front of the Parthenon appear however not to be Catalan. With regard to the origin of the name of Navarino, I have shown in this Review (vol. xx. p. 307, vol. xxi. p. 106) that Hopf's etymology cannot be right. A much earlier use of *Junke* for the castle than that cited by the author is to be found in the *Itinerarium Symonis Simeonis*,¹⁰ who mentions Nicholas de Joinville as 'captain' of Glarentza, and alludes to the castles of Arkadia and *Jonhil* in 1322. Sir Rennell Rodd's masterly summary of the arguments for the priority of a Greek text of the *Chronicle*, written, of course, before the latest essay on the question, by K. Adamántios,¹¹ is convincing. The theory that a Gasmule was the author explains all the facts, especially if we assume that he was a notary in the service of Nicholas III de Saint-Omer. Two peculiarities of the Aragonese version specially differentiate it from the others—the frequent anachronisms by which it transfers the feudal arrangements of the fourteenth century to the thirteenth, and its special knowledge of the Aleman family, which came from Provence, where that version was composed.

For the further study of Frankish Greece two things are much to be desired—an exhaustive study, accompanied by plans and illustrations, of all the castles and other remains of the Latin rule in the Levant on the lines of Dr. Gerola's splendid treatise on Crete; and an accurate series of maps, showing in detail the growth and contraction of the Frankish states. Buchon's *Atlas* is as inadequate for the former as is Spruner-Menke's *Handatlas* for the latter. If Sir Rennell Rodd would use his influence to promote the former work, in which he has already shown the keenest interest, he would still further increase the services which his book has rendered to students of this period.

W. MILLER.

⁹ Cf. his *Catalunya a Grecia*, pp. 57, 68; Gregorovius, *Briefe aus der Correspondenza Acciajoli*, p. 308; Buchon, *Nouvelles Recherches*, ii. i. 257; Predelli, *Commemoriali*, iii. 206, 208; Hopf, *Chroniques gréco-romanes*, p. 229.

¹⁰ P. 15.

¹¹ Δελτίον τῆς Ἱστορικῆς καὶ Ἐθνολογικῆς Ἑταιρίας, vi. 452-675.

The Dawn of Modern Geography. Vol. III. A History of Exploration and Geographical Science from the Middle of the Thirteenth to the Early Years of the Fifteenth Century. By C. R. BEAZLEY, M.A., F.R.G.S. (Oxford: Clarendon Press. 1906.)

WITH this, the third volume of the *Dawn*, Mr. Beazley brings his work to a conclusion; and, as it proves to be the most interesting and easiest to master of the series, it may safely be concluded that it has given its author the most trouble to write. Having reached the days of 'the Great Asiatic Travellers,' the volume opens with a vivid account of the Polos, and explains how the *Book of Marco Polo* made Asia known in Europe. The recent edition by Professor Cordier of Yule's translation, in which is gathered up all the notes of a generation of Oriental scholars in illustration of this most wonderful book, has of course made this part of Mr. Beazley's work fairly easy; but on his own account he has much to say of the rival routes variously held to have been followed by the Polos, and the matter is by no means yet finally settled. Marco kept no diary (or lost it if he did); he wrote from memory in prison, and his narrative is full of digressions, not always however (it may be mentioned in passing) quite as inconsequent as Mr. Beazley would lead us to suppose. Thus at p. 68, on the route from Ormuz to Balkh, our author writes, 'There was another marvel in this part of the world. For here, in Tonocain, Marco finds it natural to stop and talk to us of the Old Man of the Mountain, of his *asciscin*, hashish-eaters, or Assassins, and of their citadel in the Elburz range.' Now Alamut, taken by Hulagu in 1252, Mr. Beazley rightly adds, 'may have been visited by the Polos on their return; it probably lay too far on the north-west of their outward route,' which certainly is true, since between Marco in Tunocain and Alamut lay the broad stretch of the Great Desert and over 500 miles of travel. But the point not clearly stated by our author is that in Tunocain there were in the fourteenth century a number of great castles of the Assassins, as is recorded by Hamd Allah and some other contemporary eastern geographers, so that it is quite comprehensible why Marco Polo 'finds it natural to stop and talk to us of the Old Man of the Mountain.'

After doing full justice to the Polos Mr. Beazley passes on to their successors, the various missionary travellers, of whom Friar Odoric of Pordenone (recently translated and fully annotated by Professor Cordier) is perhaps the best known. And reading through these careful summaries of many travellers, ending with the narratives of the Spaniard Clavijo (who is the only one apparently to have kept a diary, whereby his route can be fixed beyond cavil or doubt) and of the German Schiltberger (who Von Hammer would fain have had us believe was a Bavarian Marco Polo), the reader will not fail to be struck by the great superiority, in fulness as in novelty, of the *Book of Marco Polo* over the many works of his successors. They add many new facts, indeed, but the picture of the gorgeous east that will live is that drawn by Polo, once and for all time, and it is his work that not indirectly led to the voyages of Columbus in search of China westward, and eastward to the circumnavigation of Africa by Da Gama to get to the riches of India without traversing Asia by the land route. Among the many and diverse works summarised by

our author one of the driest, but not for that the least important, is the *Commercial Handbook* of Balducci Pegolotti, factor of the Bardi in Florence, who failed in 1289 through the 'commercial rogueries of Edward III.' He gives the chief Asiatic overland routes, and a most curious list of the commodities sold at the Azov market. Mr. Beazley justly adds—

These dry catalogues of Balducci's have a special value. For the old misconception still prevails in some quarters, and men of learning are still found ready to assume that the spice trade was of little or no moment to Latin Christians before the opening of the Cape Route. To all such fallacies the *Pratica della Mercatura*, quite apart from the abundant evidence we have already found in Polo and Odoric, Jordanus and Marignolli, Corvino and Sanuto, should be sufficient answer.

Mr. Beazley concludes his account of the overland routes to the east by a summary of 'The Pilgrim Travellers, 1260-1420,' whose narratives are more remarkable for 'the tendency observable from the twelfth century to multiply plagiarisms, to reproduce, with ever greater servility, the words and ideas of a few standard textbooks,' than for the value of the information to be gathered from their bulky records of pious prodigies. Having discussed land travel, Mr. Beazley, in the concluding chapters of his work, deals briefly with the maritime exploration in the Atlantic between 1270 and 1420, which directly led to the achievements of Prince Henry the Navigator and his captains.

The last chapter but one is devoted to 'Geographical Theory,' giving a summary of what is known as to the invention of the mariner's compass, followed by a full description of the *Portolani*, those wonderful coast charts of the Mediterranean, with the Atlantic seaboard northward from Gibraltar and immediately southward, which, though compiled in the first half of the fourteenth century, will compare not unfavourably, for exactness, with a modern admiralty chart, 'indicating in red all the ports especially suitable for calling, watering, and revictualling; frequently marking shallows (and that by a sign still used at the present day); and furnishing a list of shore names hitherto without parallel, and marking, by itself, the opening of a new era in geographical design.' It may finally be stated that the present volume closes with an index of some seventy pages, in double columns, covering the subject matter treated of in the three volumes, and thus fitly concluding the work.

G. LE STRANGE.

Codex diplomaticus ordinis E. S. Augustini Papiæ. Ediderunt ROD. MAIIOCCHI et NAZ. CASACCA, O.S.A. Vol. I., 1258-1400. Vol. II., 1400-1500. (Rome: Loescher. 1905-1906.)

THE documents printed in these two handsome volumes relate to all the houses of the Austin Friars in Pavia, where they can be shown to have settled as early as 1254. Six years later they bought some houses adjoining the decayed collegiate church of Santa Mostiola, of which they obtained possession in 1277. From this house is derived the larger and more celebrated convent of S. Agostino, adjoining the church of S. Pietro in

Ciel d' Oro, which dates from 1891. San Paolo fuori le Mura was acquired by the Austin Friars of the Observance, a distinct congregation, in 1465. There was also a house of Augustinian nuns at San Dalmazio, which probably dates from 1274; but these volumes are very little concerned with it. Their chief interest to an English reader lies in the history of the celebrated church of San Pietro in Ciel d' Oro, the burial place of Boethius.

L' anima santa, che il mondo fallace
Fa manifesto a chi di lei ben ode.¹

The editors devote the greater part of the introduction of their first volume to the history of this church, to which Luitprand transferred the relics of St. Augustine from Sardinia, and where his own body subsequently rested. The documents have little bearing upon its history before 1827, though it can be traced back to the seventh and perhaps to the sixth century. Hither in 1022 came Ethelnoth, archbishop elect of Canterbury, to receive the *pallium* from Benedict VIII; here also he purchased, for a hundred talents of silver and one talent of gold, the arm of St. Augustine, which he presented, on his return, to the church of Coventry. The editors tell us, on the authority of Beretta,² that this relic was subsequently transferred to the abbey which they pardonably term 'Gladstone,' presumably Ethelnoth's native house of Glastonbury; but we know that Dr. London found it at Coventry in 1539,³ so that we may be permitted to doubt the accuracy of this statement. At this date San Pietro was a Benedictine abbey, as also at the date of Boccaccio's story of the home-coming of Torello Strada.⁴ Those who carry back the foundation of the university of Pavia to the time of Charlemagne will have it that Alcuin taught in its schools, and that Lanfranc there received his education; but the next certain link with English history occurs after the Austin Friars had obtained a share in its control.

In 1221 it was transferred by Honorius III to the Augustinian Canons of Mortara, and in 1827 the other order which claims St. Augustine as its founder obtained from John XXII, at the instance of their general, William of Cremona, a bull authorising them to participate in the church and in the cult of the relics of the saint. Pavia was however at the time under the influence of the pope's adversary Lewis of Bavaria, and it is not surprising that the Austin Friars failed to secure their rights until the pacification of North Italy by John of Bohemia, when the papal legate Bertrand had no difficulty in securing the execution of the bull. Although the conditions of this joint tenancy were carefully laid down by the pope it is only natural that protracted litigation should have ensued, and many of the documents in the first volume relate to a long suit which lasted from 1385 to 1400. On this subject the editors not unreasonably give the benefit of the doubt to their own order, in opposition to the somewhat prejudiced opinion of Pennotti, the historian of the Canons Regular. One of the subjects in dispute was the disposal of the offerings made at the burial of Lionel, duke of Clarence, who was buried here in 1368, as was his widow, Violante Visconti, in 1396. Her

¹ Dante, *Parad.* x. 125.

² *Lychnus Chron. Iurid.* p. 198.

³ *Cal. Letters and Papers*, Henry VIII, vol. xiv. no. 69 (2).

⁴ *Dec.* x. 9.

brother Gian Galeazzo was also buried here, though his remains were transferred to the Certosa in 1474. Lionel's heart and bones, as Capgrave tells us, were taken home, in accordance with his last wishes, and buried at the Austin Friary of Clare. We learn from the same source that the good offices of Henry, earl of Derby, were employed in ending the dispute on the occasion of his visit to Pavia in 1898 (here misdated as 1892), when he interceded with the duke of Milan for the friars, in whose church he had found the tomb of his uncle.

The artistic interest of the documents here printed is considerable, since there are numerous building accounts and contracts for work, notably one for a stained glass window at Genoa (no. ccci.); but the most interesting are those which refer to the shrine of St. Augustine, now happily restored to its own basilica. The editors succeed in showing that this famous monument was begun in 1350 and erected in the sacristy of San Pietro about 1383. It seems to have been intended to place it over the tomb of St. Augustine, whose bones, inclosed in a plain sarcophagus of *pietrina rossa* (no. ccxcix.), were known to be in the *confessio* as late as 1471 (no. ccclix.) At a subsequent date the body was lost, and only rediscovered in 1695, its place of deposit remaining unknown for more than a century. A complete set of engravings of the shrine adorns the first volume. It only remains to be said that the editors have collected their material from all available sources, printed and manuscript, especially from the collection of documents of San Pietro in the state archives of Milan and the various collections at Pavia, and that they present them either at length or in an abbreviated form with admirable care and discretion, and with adequate comments.

CHARLES JOHNSON.

The History of England, 1377-1485 ('The Political History of England,' Vol. IV.) By C. OMAN. (London: Longmans. 1906.)

Richard III: His Life and Character. By Sir CLEMENTS R. MARKHAM, K.C.B. (London: Smith, Elder & Co. 1906.)

MR. Oman's volume deals, as he observes, with 'a period of English history which has been much neglected, mainly, no doubt, because of the poorness of the chronicles and the fact that the official documents in the Record Office remain, for the most part, unprinted.' It is however a period which rewards study, and its interest increases as it becomes more apparent that it was not merely an age of dissolution, but one also of experiment and the seed time for the achievements of the sixteenth century. It is well, therefore, that the gap should be filled so worthily. Mr. Oman's clear and forcible narrative presents a review of the period which is in all its main aspects substantially sound. It is natural that the reign of Richard II and the early years of Edward IV should have attracted him most, and these are the parts where his work is strongest and will most attract his readers. Perhaps the remainder of the narrative has suffered somewhat from consequent compression; for instance, the brief notice of the treaty of Canterbury on p. 262 is hardly adequate to its importance, both then and thereafter. However, the account of the Peasants' Revolt contains so much that is fresh that one need not grudge

the space that it occupies, even though Mr. Oman has already described it at more length elsewhere.¹

While the broad lines of the history do not invite criticism there are some points of detail where the treatment is open to question. Mr. Oman seems to me to have missed the real key to the closing years of the reign of Henry IV by minimising the divergence between the party of the prince and the Beauforts, and that which was headed by Archbishop Arundel. It may be that the contest was 'a strife of individuals'; but if there were no great differences of principle there was certainly a difference of policy. The strife may be uninteresting, but it is of importance for a correct understanding, certainly of the next reign and perhaps of the next generation. The change of foreign policy between 1411 and 1412 was no mere whim, but was due to a deliberate alteration of purpose. This was quite understood at the time, and is clearly marked by the English Chronicle (the common original of the *Brute* and the *London Chronicles*), where it is stated that the embassy of 1411 came 'fro the duc of Bourgne (Burgundy) unto the prince of Englonde,' while in 1412 'the duc of Orleunce sent embassatours into England unto king Henry the iiijth.' It is shown also by the choice of leaders for the two expeditions. In 1411 the earl of Arundel, who was not an adherent of his uncle, the archbishop, was in the chief command; of his subordinates Oldcastle, and probably the Umfravilles, owed their advancement to the young Henry. The prince's opposition to the expedition next year was not captious; it was a natural objection to a complete reversal of his own policy. Clarence and Edward of York, who commanded on this occasion, were then, and again in 1414, advocates of an alliance with Orleans in preference to one with Burgundy. This difference of opinion as to the lines of interference in France continued to exercise English politics for many years to come.

Nor was the opposition of prince and archbishop confined to foreign affairs. Mr. Oman recognises that Archbishop Arundel was the chief anti-Lollard influence during the reign of Henry IV. While there is no ground to suspect the prince's orthodoxy at any time there is, I think, sufficient reason for the belief that he favoured a policy more lenient than that of the archbishop. At all events prince and archbishop were brought into sharp conflict through the latter's interference at Oxford, and it seems clear that the prince's political action in this and in other matters did encourage Lollard hopes. Those hopes were no doubt disappointed, but I cannot justify Mr. Oman's view of Henry V as an honest fanatic determined to suppress (religious) Lollardy at all hazards. I am bound to challenge the whole argument on pp. 293-4. The employment of Cheyney, Savage, and Oldcastle under Henry IV was the choice of the prince rather than of the king. The attack on Oldcastle was not directed by Henry V, who continued to be on friendly terms with his old comrade till at least July 1418. The proceedings against Oldcastle were begun in March of that year, while Henry IV was still alive, and Archbishop Arundel, who inspired them, was chancellor. Henry of Monmouth had at that time no political power; and when he became king, so far from

¹ *The Great Revolt of 1381*; see *ante*, p. 161.

being anxious to strike at the greatest of heretics, he showed his wish to save Oldcastle, first by friendly expostulation and afterwards by the postponement of his execution. It was only when Oldcastle committed himself definitely to political treason that Henry abandoned his friendship. The truth is that Lollard persecution under Henry V was more political than religious. It is alleged that Netter rebuked Henry for his slackness in dealing with heretics. The only instances which I can find in Henry's reign of Lollards who were put to death solely for religion are those of Claydon and Turmyn; for their execution, which took place during Henry's absence in August 1415, the mayor and sheriffs of London were chiefly responsible. Religious persecution was more severe both before and after Henry's reign. Mr. Oman's judgment on this matter seems to me to have led him to an unduly harsh conclusion on Henry's personality. Whether Henry is or is not attractive to us, I do not think it can fairly be questioned that he had an extraordinary power of fascinating his contemporaries. If he was feared by all he was detested by none, not even by the French.

Another person to whom, in my judgment, Mr. Oman has done less than justice is the duke of Suffolk. No statesman ever ploughed a harder row than the man who had to find some way out of the French entanglement during the middle years of the reign of Henry VI. Mr. Oman censures well the sullen obstinacy of the English council in not making terms at Arras; but, as he also notes, popular opinion and national pride would have prevented them. Suffolk learnt at last that peace had to be purchased and the price paid. Unfortunately the war party was not only popular, but was led by the two chief princes of the blood. Under such circumstances only a consummate genius could command success. That Suffolk was not; he was, moreover, brusque at home and sometimes outwitted abroad. He made enemies and gave them opportunities. But he was loyal, honest, and laborious. Lingard wrote well that the author of his touching letter² of farewell to his little son could be neither a false subject nor a bad man. The like may be said of the noble and manly speech in which Suffolk defended his career before parliament. Yorkist chroniclers united to slander their political opponent, and Tudor historians had no inducement to favour a Pole. So Suffolk's character has been blackened by the foulest aspersions. But none in his lifetime dared add openly to those charges, which Mr. Oman rightly calls in great part absurd, a direct accusation that he was guilty of the death of Humphrey of Gloucester. There is nothing improbable in the story that that broken-down *roué* of fifty-six died of a stroke and the shock of his arrest; we are not justified in attributing his death to foul play (as Mr. Oman does on p. 338) without much better evidence than we possess. Of the London Chronicles the Yorkist *Short English Chronicle* and Julius B. I. go no further than to say that the 'sykernes'³ or 'certente' was unknown. The *Vitellius Chronicle*, composed when the myth of the good Duke Humphrey had become part of the Yorkist

² *Paston Letters*, 91 [117, ed. 1904].

³ This is the correct reading, as is shown by the similar but slightly earlier (1463) version in the Harley Roll, C. 8.

creed, is too late to be trusted; even that account only repeats vague suggestions of murder. To my judgment Suffolk has appeared always as the noblest and most pathetic as well as the most tragic figure of his time.

Turning back to the reign of Henry V Mr. Oman's account of Agincourt suggests some criticism. In his plan he places the two lines three-quarters of a mile apart, the English being only a few hundred yards from Maisoncelles. But Henry, after marshalling his army outside the village, advanced some little distance in the early morning and then halted while his heralds parleyed with the French. Then he advanced again, four hundred yards or so, as stated on p. 255, but possibly more. This would have brought the English line considerably further up than the position in the plan. The traditional site marked by the memorial cross lies north of the road from Agincourt to Tramecourt; in any case I do not think it can have been south of that road. Again, Mr. Oman describes the archers as only planting their stakes when they saw the French cavalry moving. But the archers were probably seven or eight deep; and had that manœuvre, which must have taken an appreciable time, been delayed so long, in all likelihood the French cavalry would have ridden down the weak battalions of men-at-arms before the archers could stop them, which is what happened afterwards at Valmont and Patay. Therefore it seems better to suppose that Henry advanced his line within bowshot of the enemy, halted, and bade his archers make ready before the French cavalry began their charge. This is not stated positively, but is, I think, implied clearly enough in the best accounts.⁴

To touch some minor points, the second victory of 1405 at Usk (p. 208) was in May (*circa festum sancti Dunstani*), not in October. Is there any authority for supposing that Bedford was present in person at Cravant (p. 291)? On pp. 298-300 'Northampton' is a slip for 'Leicester.' In the 'Appendix on Authorities' (p. 501) the *Vita et Gesta Henrici Quinti* (ed. Hearne) is attributed to Elmham, who was certainly not the author. Since Mr. Wylie has proved that Elmham was present in the campaign of 1415 I feel satisfied that Dr. Lenz was right in regarding the *Gesta Henrici Quinti* (English Hist. Soc.) as the genuine prose life which Elmham says that he had written before the *Liber Metricus* (and probably during Henry's lifetime). I am now disposed to think that the *Vita* is the real work of Titus Livius Foroiuliensis; it was certainly written by a supporter of Humphrey of Gloucester between 1435 and 1440. But the numerous manuscripts of these chronicles want thorough examination. On p. 502, second line from foot, for 'Gregory Skinner' read 'William Gregory, skinner.'

More than one writer since Horace Walpole has essayed to whitewash the character of Richard III. But Sir Clements Markham excels his predecessors by rubbing out all the shadows and leaving us with an immaculate and impossible hero—impossible, at all events, for his ungoverned generation. Nor even thus is he content; for all who opposed or criticised Richard are besmirched as banded together in an organised conspiracy. Such a process defeats its purpose and leaves us

⁴ Le Fèvre de S. Remy, i. 253, and *Gesta*, p. 52.

with a suspicion that the hero who requires to be so defended may after all have been enough of a criminal, if not so black as his enemies painted him. Had Sir Clements been content to show that the allegations of Tudor historians were in some matters unfounded, we might have been more ready to accept a verdict of not proven on the serious charges; more than this he has not after all been able at the best to establish. The blackness of Richard's character depends on three circumstances—the deaths (or murders) of Edward of Wales at Tewkesbury, of Henry VI, and of the young princes in the Tower. The story that Edward of Wales was murdered in cold blood is sufficiently discredited by Warkworth's account. But it was not (as Sir Clements supposes) a Tudor invention, even if it may have been somewhat embellished by Polydore Vergil. The story that the prince was murdered in the presence of Edward IV was current in France very soon after,⁵ and it was from Robert Gaguin's *Compendium* that Fabyan borrowed it, as he did much else. In the case of Henry VI the important point is the date of his death. The evidence of the accounts of expenses on Henry's behalf down to 24 May is not conclusive that he was alive at least until that date. It is impossible to put aside the immediately contemporary evidence for the 21st cited by Dr. Gairdner, in addition to Warkworth and the London Chronicle. It is at least probable that Warkworth wrote before 1483, and the very circumstance that his authority discredits the Tewkesbury story is evidence for his *bona fides*. The London Chronicle⁶ was no doubt composed in its present form about 1486, but it reproduced an older version. The *Arrivall of Edward IV* is admittedly partisan, and it is more likely that one interested writer should have falsified a date than that several with no common reason should have done so. The balance of evidence is in favour of 21–22 May as the date of Henry's death; and, since Richard was present in the Tower that night, his character cannot be cleared of all suspicion.

On the death of the young princes Sir Clements makes much of Fabyan's confusions. I think it is clear that Fabyan had expanded the narrative of the London Chronicle in a biassed spirit. The chronology of the London Chronicle is not at first sight lucid, but its intention is clear, and the dates, if read fairly, are accurate. The existing copy was certainly written before 1496, and its original very probably in 1486; it has every sign of being the work of one who wrote from common opinion. The citizen chronicler was not likely to put down anything that would be very dangerous, but it would be absurd to suppose that so humble a person was directly inspired from high quarters. He states that 'the 18th day of June the Duke of Glowceter sodeynly withoute judgement cawsed the lord Hastings . . . to be beheded . . . And upon the Sonday after was declared at Pauls Cross, that kyng Edward's children were not rightfull enheritours unto the Crown, and that the Duke of Glowceter's title was better than theirs. . . . And upon Thursday after the said Duke of Glowceter . . . took possession of the Regality.' All this is accurate

⁵ See Wavrin-Dupont, iii. 290, and other instances given in Dr. Karl Schmidt's useful *Margareta von Anjou* [see below, pp. 587 ff.].

⁶ *Chronicles of London*, p. 185.

and simple enough, and tends to establish the writer's credibility. Here and afterwards, when he says that Richard 'put to deth the two childer of king Edward, for which cause he lost the hearts of the people,' I cannot doubt that he is repeating the popular belief of the time. Stow in his *Annales* clearly wrote in part from tradition that he had heard, perhaps from the same old men whose accounts of Richard III he repeated to Buck; Stow and his informants had no doubt of Richard's guilt. Such was the popular belief in England at the time; it is confirmed by the solemn assertion before the French states-general in January 1484, but that evidence Sir Clements disregards. Believing that Henry VII was capable of the princes' murder, he accepts his guilt as proved, and, since Henry was a monster, assumes that his queen, Elizabeth, was an unhappy wife; against this we have the touching story preserved by Leland⁷ of their tender and affectionate relations. The actual fate of the young princes must of necessity remain somewhat of a mystery. But against Henry VII there can at the best be brought no more than hypothesis, and if character is to be cleared by the possession of some good qualities as much can be said for him as for Richard. Mr. Oman, while recognising Richard's popularity and good repute during his brother's reign, perhaps lays too much stress on the worst developments of his character. But he reaches the kernel of the matter when he describes Richard as a typical man of his time. It was an age of strange contradictions of character, of culture combined with cruelty, and of an emotional temper that was capable of high ends but unscrupulous of means. From material of such mixed quality it is possible to construct a plausible story by resolutely shutting our eyes to half the evidence. But we cannot dismiss altogether the general judgment of a man's own contemporaries. Richard deserves to be judged by the standard of his time. That standard will not set him down as a monster; neither will it enable him to escape condemnation as one who exceeded, even in an age of excess. So must I continue to regard the Tewkesbury story as discredited, the death of Henry VI as suspicious, and the murder of the young princes to be as certain as the circumstances of its perpetration permit. Nevertheless it is well to have a contrary opinion presented with the charm of manner which distinguishes Sir Clements's book.

C. L. KINGSFORD.

Tabeller over Skibsfart og Varetransport gennem Øresund, 1497-1660.

I. 'Tabeller over Skibsfarten.' Udgivne ved NINA ELLINGER BANG.
(Copenhagen: Gyldendalske Boghandel. 1906.)

STUDENTS of economic history in the first place, but also students of modern European history in general, owe a debt of gratitude to the lady who has compiled this volume, and to the Carlsberg fund, at the expense of which it appears. The Sound dues, which embarrassed Europe for nearly three centuries, have bequeathed to her historical material unique in character and value, part of which, in a quarto volume of more than 400 pages, is now placed at the disposal of all readers who can contrive to

⁷ *Collectanea*, v. 373-4.

read only a little more Danish than is necessary to the interpretation of a railway time table. A preface, which is accompanied by a French translation, traces the history of the accounts of the payment of dues. These are preserved for the years 1497 (nearly seventy years after the dues were instituted), 1508, 1528, 1536-1548, and, with very few exceptions, from 1557 down to 1660, the year with which this volume closes. The editor's work has been complicated by changes in the form of the accounts, by occasional carelessness in entering them, and by an orthography which makes *Calles* the equivalent both of *Calais* and of *Cadiz*, and presents as *Abson*, *Absumb*, *Epson*, and *Epsum* a place name which she conjecturally renders *Epsom*. The interpretation of the tables in which the statistics of shipping are set out is rendered more difficult by changes in the strictness with which the capacity of the ships was estimated, and also by the danger of building too much on the seemingly absolute distinction between ships with cargo and ships in ballast. We are however presented with a classified list of more than 400,000 vessels which passed through the Sound in 110 separate years, to the annual average number of 3,158 between 1560 and 1569, of 5,623 between 1590 and 1599, and of 8,015 between 1650 and 1657. Taking at random the year 1588, we find that out of a total of 4,825 ships no less than 2,012 came from and sailed to the Netherlands. Four of these, as against none from any other country, were of over 100 lasts, 1,360 between 80 and 100 lasts, and 158 of under 80 lasts. Of these 2,012 ships 1,522 sailed from or to Holland, as against Zeeland 11, Friesland 429, and other provinces of the Netherlands 50. Amsterdam claims 76, as compared with 504 in 1565 and none in 1576, while Enkhuizen and Hoorn claim 339. North-West Germany sends or receives 478 ships, 'other western lands' 176 (Scotland 77, England 82, France 17), the Wendish towns (Hamburg, Lübeck, Rostock, Wismar, Stralsund) 865, eastern Hanse towns (from Greifswald to Narva) 249, Finland 5, Sweden 53, Norway 75, and Denmark (then including Scania and Schleswig-Holstein) 412. These ships are classified with regard to their size, the direction of their voyage, their freight (ballast or cargo), and the month in which they sailed, while incidentally any fact of striking importance about any one of them may be briefly noted. Four indexes record (1) the ports to which the several vessels belonged; (2) the ports for which they sailed; (3) place names not included in the foregoing; (4) all place names contained in the first three indexes. The labour needed to produce such a volume and its lasting service to the historian may be pronounced comparable with one another. W. F. REDDAWAY.

Karls V. Plan zur Gründung eines Reichsbundes; Ursprung und erste Versuche bis zum Ausgange des Ulmer Tages (1547). Von O. A. HECKER. ('Leipziger Historische Abhandlungen,' Heft 1.) (Leipzig: Quelle und Meyer. 1906.)

THIS is the first instalment of the history of Charles V's project of a voluntary league of German states, which should supplement or supplant the cumbrous imperial machinery, and place more effective resources, military, financial, and judicial, at the disposal of its chief, the emperor. The idea germinated at the close of 1546, immediately after the sub-

mission of Ulrich of Württemberg. A league of the states of Upper Germany only was at first contemplated, and this would have been merely a revival of the defunct Suabian League, except that Charles wished the towns to be excluded. The plan was then enlarged until the proposed federation comprised all Germany, while its functions included the protection of the Netherlands and the Franche Comté, and also of Upper and Lower Austria. Charles intended to push forward his scheme personally in a congress to be held at Frankfort, but at the critical moment the successes of John Frederick against Maurice called him northwards. Nevertheless a congress, which was very fully attended, met at Ulm, the imperial commissioners being the bishop of Augsburg and Hans of Cüstrin. The presence of the latter, a very sound protestant, was a guarantee that no denominational pressure was intended. Before the congress met, Bavaria, under the guidance of Eck, had given proof of its determination to oppose. The plausible pretext was the impossibility at a moment of religious excitement of combining the hostile religions in a common league; the real motive was the fear of an increase in the power alike of the emperor and of the house of Habsburg. Maurice of Saxony adopted a non-committal attitude. Ferdinand was cool and somewhat pessimistic. The league was of little use to him unless it would guarantee the defence of Upper and Lower Austria, and this seemed improbable. The emperor's only chance was to produce a well-prepared scheme and rush it through. The commissaries however opened the subject on general lines and asked for suggestions and advice. This encouraged the deputies to reply with generalities, to profess that they had no full powers, and to propose adjournment. Then arrived Granvelle, who did get a committee of the congress appointed, but such a committee could have no binding power and could not even discuss the most vital questions. It placed, indeed, the emperor at a disadvantage, for when it met him at Augsburg his hand was forced, and he was obliged to give definiteness to proposals which he had purposely made nebulous. The deputies replied that they had no power to treat of such important changes, and Charles dismissed them *re infecta*.

The scheme, ill considered and imperfectly prepared as it was, has some slight interest as illustrating the conservatism and lack of imagination of Charles V. Instead of utilising his success for a sweeping reform of the administration, carried through with a strong hand, he fell back upon the model of the old Suabian League, and adapted this to purposes for which it was not intended. As in his earlier and later attempts at a comprehensive religious system he pinned his faith on conciliation and voluntary agreement on a subject where interests were too widely divergent for a possibility of success.

E. ARMSTRONG.

Die Nuntiatur von Giovanni Francesco Bonhomini, 1579-1581.
Bearbeitet von FRANZ STEFFENS und HEINRICH REINHARDT.
(Solothurn: Commissionsverlag der Union. 1906.)

THIS massive volume of 728 pages contains the official documents and correspondence relating to the missions of Bonhomini, bishop of Vercelli, to the Valtelline, the district of Lugano, the five catholic cantons,

Aargau, Thurgau, Glarus, Pfäfers, Appenzell, and the Vallais. The documents have been collected from the Vatican archives and library, from the Archivio dei Vescovi e Regolari in the Villa Pio IV, from the Archivio dei Brevi and the Biblioteca Casanatense, from the Archivio Capitolare of Vercelli, the Biblioteca Ambrosiana and the Biblioteca Trivulziana in Milan, and from the Staatsarchive of Luzern, Chur, Basel, and Freiburg. The research has been made with exemplary diligence and the apparatus leaves nothing to be desired; each document is preceded by a *précis* in German and the notes display a patience of research which is quite admirable.

Bonhomini's missions were the outcome of Cardinal Borromeo's determination to reform the Swiss churches and abbeys and to enforce the decrees of the Council of Trent. His main objects were to correct and suppress simoniacal and concubinous clerics and to recover ecclesiastical jurisdiction. With these aims in view Borromeo himself made a preliminary visit to Switzerland and the Grisons in 1570. On his return to Milan he drew up an *informatio* on the subject, which is one of the most interesting documents in the collection. It illustrates with perfect sincerity various points in Swiss character and gives a lively picture of the Swiss catholic clergy at that date. The cardinal takes the good qualities first. The roads he found remarkably safe, the people docile if gently handled; cards and dicing are not carried to any excess; swearing is punished; the churches are well frequented, and prayers for the dead are offered up with a devotion which contrasts favourably with the practice in Italy. The Swiss are loyal in their dealings with one another; nor are there family feuds. Their chief amusement on Sundays is shooting at the mark. Each parish church has a choir school. The cemeteries are well kept. They communicate universally at Easter. Concubinage is punished, but by the secular arm. They profess great respect for the decrees of the council of Trent, though they hesitate to give them effect where they clash with the interests of the communes. The modesty of the women's dress is worthy of all praise. On the other hand they are obstinate, venal in justice and in the distribution of offices; they interfere in matters spiritual, and ecclesiastical jurisdiction is all but non-existent; priests are subject to the lay courts. Usury is common and church plate is frequently pawned. They devote a large part of their time to eating and drinking; they spend two or three hours over their meals; eat twice or thrice a day and drink at all hours, with carnal consequences which may be imagined. The lives of the priests are scandalous; almost all live in open concubinage. The churches, church linen, and priests' clothes are filthy. They haunt pothouses, and sometimes keep them, or ply other trades unworthy of their cloth. Their gestures when celebrating are rude and uncouth. They all wear swords and are to be seen in the marketplaces in jerkins and cloaks; the result is that the priesthood enjoys little respect. The monks are no better than the priests. Where the population is mingled of catholics and protestants the churches serve indifferently for both cults. The abbot of St. Gallen even invites heretics to dine with him, and spends the larger part of his income on the table. The remedies for this state of affairs are, first, to send an apostolic nuncio or *visitator* to deal with spiritual matters only, and to

enforce the decrees of Trent; secondly, to establish a seminary; thirdly, to open a Jesuit college at Constance.

Borromeo sent his *informatio* to Rome, to the bishop of Piacenza, begging him to lay the matter before the pope Pius V. But in the meantime Lussy von Stans, who had been Swiss agent at the council of Trent, strongly urged Borromeo not to send an Italian nuncio at present, and suggested that the suffragan bishop of Constance, Balthasar Würer, with two parish priests, should be charged with the visitation if it were still insisted upon. But the appointment of Würer was vigorously opposed at Rome by the cardinal Hohenems, on the ground that though the suffragan was an able preacher he was also too much of a boon companion, and that this was the reason why the Swiss desired his appointment. The pope himself was in great doubt as to the advisability of sending a mission at all. He dreaded lest the papal prestige might be compromised, and he doubted the loyalty of the Swiss attitude towards Rome. To overcome this reluctance Borromeo suggested that his holiness should address a brief to the seven catholic cantons and gather the truth about the Swiss attitude from their reply. Very reluctantly the pope issued his brief. Schwyz and Lucerne at once consulted on their answer, and declared that they had not invited a visitation, but promised all respect and support to the nuncio should he be sent; only they were resolved to maintain their temporal jurisdiction over ecclesiastics. In this attitude the remaining cantons concurred. Walther von Roll was sent as agent to Rome. He saw the pope and very frankly said that the Swiss looked for no curtailment of existing privileges, but rather for an extension of the same, possibly to the admission of a Swiss ambassador to the Vatican. He further suggested that the pope might raise some Swiss levies and give him a command. This answer determined the pope to abandon the project for a Swiss nunciature for the present. But Borromeo did not renounce the cause he had so much at heart. When Gregory XIII succeeded Pius V the question came up again, and in 1575 Count Porcia was sent as nuncio to the dioceses of Strassburg, Chur, Lausanne, and Sion. His mission was void of fruit. Condé's troops were overrunning the Jura and the plague was decimating St. Gallen and other parts of Switzerland. In 1578 however the Holy See appointed Bonhomini *visitator* for the diocese of Novara and Como, including its Swiss districts, and Felician Ninguarda, bishop of Scala, as nuncio to deal with the diocese of Chur. Ninguarda's instructions embodied the results of Borromeo's *informatio*; among other duties he was to reform the priests who kept pothouses, to suppress the abuses of the table, to prevent monasteries from selling wine retail, to compel the bishop of Chur to keep up his castles.

Bonhomini, on assuming his office of *visitator* of Novara and Como, considered it part of his duty to visit the Valtelline. Borromeo was extremely anxious about the condition of the catholics in that valley, held down as they were under the iron heel of their Grisons overlords. Apart from the spiritual question it was of great political importance to preserve the catholicity of the Valtelline as a connecting link between Austria and the Spanish possessions in North Italy. But Bonhomini was in grave perplexity as to certain contingencies which might attend

his projected visit. It was highly probable that the Grison Leagues would resent the presence of an apostolic nuncio in the Valtelline, and would conclude that his mission was not purely spiritual. He laid before Borromeo his doubts and asked for advice as to how he should comport himself in any of the following emergencies: if he were ordered to quit the valley; if he were forbidden to preach or to inspect; if in his presence a heretic insisted on preaching against the catholic faith; if he were refused admittance to the valley in his capacity of apostolic nuncio. Borromeo replied that he should consult Rome on these points, and in the meantime sent him a formal opinion delivered by the Jesuit father Adorno. From Rome they replied by leaving the matter to Bonhomini's judgment, merely urging him to avoid compromising the papal prestige.

Bonhomini accordingly resolved to visit the Valtelline not as nuncio apostolic but as commissary of the bishop of Como, and to announce that he was taking the journey largely on account of his health; which required a course of the baths of Bormio. He also determined to go straight to Bormio and to work down the valley instead of working up, which would expose him to the ignominy of being possibly stopped and turned back, whereas if an order for his expulsion should arrive as he was working down the valley he could continue his journey without the obvious signs of compulsion. He put his plan in execution and reached Bormio, very well received by the populace and even by the Grisons governors when they were catholics. The doctors told him that the baths were not suited to his complaint, and after a few days he began his return journey. He was extremely active in his mission, though apparently suffering in health. He preached, communicated, confirmed thousands of the natives, carrying on his office for hours together. He visited churches, called priests and canons to order. In one case he found the consecrated wafer full of maggots or ants and compelled the curate to consume the particles. He was well aware that as soon as his presence in the valley was known at Chur he would be expelled; and as a matter of fact before he reached Tirano he was forbidden to confirm. This he disregarded. But at Morbegno an order arrived from Chur that if he did not obey he should be arrested and sent to Chur to be treated as Rome had treated the protestant preachers; *che vuol significare*, he writes to Cardinal Maffeo, *in lettere assai chiare, la pena del fuoco*. But he was now near the lower end of the valley, and the next day, 9 August, he was safely out of the valley at Gravedona, on the Lake of Como, and thus ended what he himself calls his *visita mascherata*. It had only lasted from 14 July to 9 August. But the Valtelline had been visited, the catholic party strengthened, and the papal prestige had not been exposed to any diminution. Bonhomini presented to Cardinal Maffeo a detailed report on his mission, and the whole correspondence throws a flood of light on the condition of the Valtelline and the violent struggle which was raging between the protestant preachers and the catholics, a struggle which eventually led up to the *annus rusticae dementiae*, and is closely connected with the fight for the possession of the Valtelline at the opening of the Thirty Years' War.

The results of Bonhomini's mission are seen in the constant efforts on the part of Rome to obtain better terms for the catholics of the

Valtelline from their masters, the Grison Leagues, and in the establishment of the Collegio Elvetico at Milan. Bonhomini had shown both zeal and prudence in his brief visit to the Valtelline, and when in the following year, 1579, it was resolved to send a nuncio to the dioceses of Constance, Chur, Lausanne, Sion, and Basel he received the appointment from Gregory XIII. He found abundance to occupy him on his mission, and his letters to Borromeo are a mine of information as to the condition of the districts he visited. The lay catholics of Zug are earnest and pious except for their drunkenness and avarice; but the priests are inveterately concubinous and have no dread of the *flagellum Dei*, 'for war will never devastate their homes; plague they treat as we treat fever; they cannot starve, for all their grain is imported always, and is always at the same price; hail and tempest do not affect them, as their only crop is hay; while all the sovereigns of Europe bid for their services.' When he endeavoured to enforce *clausura* he found his life threatened by the country-side. In short, the whole collection of documents is full of lively touches and valuable matter, and scholars owe a debt of gratitude to the editors for their excellent presentment of a remarkable correspondence.

HORATIO F. BROWN.

Palæstra; Untersuchungen und Texte aus der deutschen und englischen Philologie. X. 'Richard the Third up to Shakespeare.' By GEORGE B. CHURCHILL, Ph.D. 1900. L. 'Oldcastle-Falstaff in der englischen Literatur bis zu Shakespeare.' Von WILHELM BAESKE. 1905. LIV. 'Margareta von Anjou vor und bei Shakespeare.' Von KARL SCHMIDT. 1906. (Berlin: Mayer und Müller.)

THE aim of the series *Palæstra*, to which these three volumes belong, is avowedly philological and not historical. But philology and history cannot be altogether divorced, and least of all in such a quest as the examination of the sources of Shakespeare's historical plays.

We have placed these three works in the order of publication, but we will treat of them in the historical order of their subjects. That Sir John Oldcastle (Lord Cobham) was the original of Shakespeare's fat knight Falstaff, and that the character actually bore the name of Oldcastle in the play till the name was altered, to avoid offence to the feelings of those who regarded Oldcastle as a protestant martyr, was pointed out by Halliwell as far back as 1841; but it would seem the Germans have since shown that the character itself was not confined to the English stage, and Herr Graf in 1897 has traced it through the *Miles Gloriosus* of Plautus up to old Attic sources. Herr Baeske however confines himself to an examination, first, of the historic Oldcastle from contemporary sources; secondly, of the accounts given of him by subsequent writers to the time of the Reformation; thirdly, of the picture drawn of him in that age; fourthly, of the dramatic treatment of the character; and, finally, of the poetic glorification of Oldcastle in Weever's *The Mirror of Martyrs*, published in 1601, and reprinted by the Roxburghe Club in 1878. This analysis of the entire Oldcastle tradition is a real service to historians alike of the political and religious life of England. It is very carefully done; but, notwithstanding the author's familiarity

with English sixteenth-century literature, we note an amusing error at p. 91, where he says Falstaff is sent by the Chief Justice *auf die Flotte* (*on board* the Fleet), and adds in a footnote that Schlegel has wilfully translated the words *ins Gefängnis*. It is pardonable enough, of course, in a German not to know that 'the Fleet' was a prison. On the whole, the result of Herr Baeske's learned investigations will certainly be to confirm the general feeling that the dramatic Fastolf was a very different person from the real Oldcastle. But it may be a question, on the other hand, whether the real Oldcastle, who, as confessed by the dramatist, 'died a martyr,' was quite such a man as he was pictured by puritans in the days of Queen Elizabeth. On this subject Herr Baeske's careful analysis of authorities does not, I think, go very far to satisfy us.

Herr Karl Schmidt's volume, one of the most recent issues, is the most historically valuable of the three before us; for Margaret of Anjou has not yet found a biographer of much discrimination. Prominent as she is in English history, no English party cared for her in her own day, and, while the Yorkists reviled and slandered her, Lancastrian writers did nothing to vindicate her character. It is however from Yorkist chronicles, with all their malice, that the most valuable information is obtained about her; they saw further into her than the opposite party, just because she was such a constant enemy to their policy. But all the statements with regard to her are not gathered from contemporary sources. Early Tudor chronicles, like that of Fabyan and some others, must be taken into account, and also the polished history of Polydore Vergil, who put the finishing strokes to a traditional portrait of Margaret, filling in touches both from English and from foreign sources, and at times even from classical authors—as where, in one case, he applies to Margaret what Livy says of the ferocious Tullia, daughter of Servius Tullius. A large amount of original information about her however is derived from foreign chroniclers, who may be likewise ranged in two classes, some as contemporary and some later; so that the number of sources is really much more considerable than might be supposed.

I cannot hope to do justice to Herr Schmidt's laborious and critical examination. His treatment of sources, indeed, is based on the same principles as that of Herr Baeske. It is to German criticism alone, apparently, or at least only to German schools of criticism (for Dr. Churchill pursues the same methods), that we must look for a thorough sifting of traditions on historical subjects, showing exactly when and how new features in a story came to light, and thus leading up to a proper judgment as to how much is trustworthy. In the end Margaret of Anjou seems to come out a rather over-magnified person in some respects. She is scarcely the female Fury that she was represented to be—at least, there is only one occasion when her conduct is marked by savagery in the midst of civil war. Nor had she quite the 'valiant spirit' attributed to her in Shakespeare; for she appears to have kept away from the field of Tewkesbury, and Polydore Vergil's account of her despondency after that battle and the death of her son is no doubt true. The 'real' Margaret, in fact, was, to all appearances, womanly enough, when we have blown aside the scandals heaped upon her by party hatred; but that hatred, too, is perfectly intelligible. Her marriage itself, having

been effected by the retrocession of Maine and Anjou to France, was followed by the loss of Normandy likewise to the English. Her ruling disposition, joined to her husband's incapacity, provoking him to acts of bad faith (at least she was supposed to be the cause of them), created a feeling not unlike that of John Knox about the 'monstrous regiment of women.' But what else could be expected of her? She did not mean to be a queen of England for nothing, and see her husband meekly yield up all his rights and his son's rights too, merely for peace and quietness. She did not care about a parliamentary settlement, even if the English constitution in days of turmoil saw anything sacred in the compromise of 1460. Her motives were simply dynastic. But she did not insult the decapitated duke of York by crowning his head with paper. The crowning, indeed, is a fact, but she was far away in Scotland. The one instance of savagery which must be admitted on her part was the beheading of Lord Bonville and Sir Thomas Kyriel after the second battle of St. Albans. This, as Herr Schmidt admits, gives some colour for the portrait in Shakespeare, however exaggerated that portrait may be. At the same time, it would seem that it was not a butchery in hot blood, but, what makes it almost worse, there was something like a court-martial, in which 'the prince was judge his own self,' set up by his mother to pronounce sentence. The details, too (Herr Schmidt might have shown), are not to be obtained with precision from any quarter. Gregory says that Kyriel was 'slain' (as if in the field) and Lord Bonville beheaded under this 'judgment.' Wavrin finds that the victims were Kyriel *and his son*. But there is no doubt they were Bonville and Kyriel, and, according to the *Short English Chronicle*, their execution was in violation of a pledge given by King Henry. The thing looks extremely bad and was denounced as bad; but Margaret regarded both the men as traitors, while Kyriel, at least, had been a notable captain in the French wars, and hence won English sympathy.

Why does Herr Schmidt speak of these two men as earls, 'Grafen Bonvyle und Kyriel'? Neither of them was an earl, and Kyriel was not even a lord. This seems to be a slight slip from unfamiliarity with the English peerage. But there are other interesting points in Margaret's career on which his remarks are valuable. The story of her adventure with the robber in Cheshire after the battle of Northampton seems to have been mixed up by Chastellain with another incident of later date. The death of her son, Prince Edward, after the battle of Tewkesbury was glossed over by contemporary writers in England, both Yorkist and Lancastrian, as of one slain in the field, and seems to be actually so represented in a contemporary miniature (where he is seen falling off his horse under a mortal blow dealt at him) in the manuscript account at Ghent of King Edward's recovery of his throne. But this account was drawn up by order of King Edward himself, and there is evidence in contemporary French sources that the prince was captured and brought to a colloquy with the king before he was killed. Moreover, the words in that larger official narrative of 'the Arrivall,' of which this Ghent manuscript was an abridgment, are a little suspicious:—

Edward, called Prince, *was taken*, fleeing to the townwards, and *was slain in the field*.

The sentence does not hang together well. And Warkworth's words, too, suggest more than is directly stated :—

There was slain in the field Prince Edward, which cried for succour to his brother-in-law, the duke of Clarence.

The prince and Clarence had married two daughters of Warwick the King-Maker, and had lately been allies; but Clarence now was on his brother Edward's side. What help did the prince expect to get from him? Herr Schmidt conjectures, not unreasonably, that his cry 'for succour' was not unlike Cæsar's cry of *Et tu, Brute!* For when the whole story at last came out in Hall, Clarence himself was named among those who helped to despatch him. And whether this was so or not, the appeal, of course, was fruitless.

I have said that Herr Schmidt's volume is the most historically valuable of these three; yet Dr. Churchill's is in some ways the most historically interesting. It is not, indeed, addressed to political historians half so much as to historians of the drama and of popular traditions. None the less it is a book for political historians to weigh and consider, quite as much as that on Margaret of Anjou. For Margaret's influence on English history, great as it was, did not impress the popular imagination with anything like the vividness or inspire the horror evoked by the story of the last Plantagenet king. And the natural result was, of course, that a great many things were said about him which were not founded on, or even justified by, a close examination of the facts. Indeed, many of the facts were confessedly dark from the first. Even the murder of his nephews, a fact in itself beyond all reasonable doubt, was so far obscure that the world was for a long time uncertain how, by whom, or even when it was done. As for the tyrant's other crimes, whatever foundation there might have been for each particular imputation cast upon him, there is no doubt at all that the sum total was swelled by a large number of uncertain rumours and legends; and what a literature there was of these nobody is aware who has not studied Dr. Churchill's book. Before the acts of Richard had been dramatised by Shakespeare there had been at least two earlier plays about him, besides histories, chronicles, and ballads in profusion; and Dr. Churchill's aim has been simply 'to determine exactly what was the nature of the raw material ready to Shakespeare's hand when he began to write *his* Richard III.'

The book is really a work of marvellous industry and research. Dr. Churchill's analysis of all the Tudor sources shows exactly how much each particular writer took in, how much he left out, and how much he appears to have invented himself; also how much, in some cases, he artistically painted after classic models. The 'saga' of Richard III is thus carefully traced out. By the cautious words of Warkworth, we can see that a bad opinion was entertained of him and some of his acts long before the murder of the princes. The account given of him some years later by the continuator of Croyland, whose judicial fairness has been generally acknowledged, is still more unfavourable. Then came Bernard André and Polydore Vergil in the days of Henry VII. Dr. Churchill questions some inferences of mine from the Croyland writer's words, and

I am not quite sure of some of his from André's. As to the first I cannot agree that the passage about the death of Henry VI was written after the death of Richard III, and I think that the studiously indirect expression about the (unnamed) *agent* of the deed having earned thereby the name of a tyrant, to whom the writer hopes that God will give time for repentance, agrees best with the theory that it was written during Richard's reign. It might have been written even before the murder of the princes, which in its human aspect was a still worse crime to repent of. As to the second, André's silence about Prince Edward, Clarence, and his own wife Anne having been murdered by Richard does not seem to me necessarily to imply that none of these charges against him were at that time current. The last two, indeed, are not probable; but not one of them was *ad rem* in André's very imperfect narrative. He has enough to say of Richard's evil deeds in killing all the faithful councillors of Edward IV, and then slaughtering his own nephews—putting them secretly to the sword, as he supposes—things which had to be related as showing how Richmond was led to undertake the invasion of England.

Next in the chronological order of authorities comes Fabyan, the City chronicler, who is the first English writer to show that Prince Edward was not slain in the battle of Tewkesbury but was taken and brought to an interview with King Edward. The king replied to his bold answers by striking him in the face with a gauntlet, after which he was slain by 'the king's servants.' Gloucester is not mentioned here, but he is in connexion with the death of Henry VI. Divers tales, Fabyan says, were told about this; 'but the most common fame went that he was sticked with a dagger by the hands of the duke of Gloucester.' The words of another City chronicle recently edited by Mr. Kingsford are to the like effect; but no doubt they had a common source. For the story of the usurpation these City chroniclers are most valuable, and the record is black enough. But the first real history of Richard in literary form is that of Sir Thomas More, which he left unfinished, both in Latin and in English. It is certainly the main source from which the picture in Shakespeare is derived, and together with Polydore Vergil's English history has been generally followed by later writers.

Of the additions made to the story by poets, dramatists, and ballad-writers I need not say much. From the date of the *Mirror for Magistrates* (1559) it became the accepted view that Richard murdered his brother Clarence. The poem upon Clarence makes him say that Richard first endeavoured to strangle him and then drowned him in the Malmsey butt. In the dramatic treatment of Richard, Legge's Latin play, '*Richardus Tertius*,' shows considerable power of invention, suggesting a very ingenious view of Buckingham's policy that he had been won over to make the usurper king in order to save the children. This idea, indeed, is taken from a passage in More, but it is followed up with wonderful art in the drama. Legge's play, which in Fuller's opinion was written for presentation before Queen Elizabeth, had a great reputation in its day, and not an undeserved one. But of it and of the '*True Tragedy of Richard III*,' and of various minor pieces I must leave the reader to find out for himself what Dr. Churchill has to say of them.

JAMES GAIRDNER.

The East and West Indian Mirror; being an Account of Joris van Speilbergen's Voyage round the World (1614-1617) and the Australian Navigations of Jacob Le Maire. Translated, with Notes and an Introduction, by J. A. J. DE VILLIERS. (London: Hakluyt Society. 1906.)

It is somewhat singular that, often as narratives of the second Dutch voyage of circumnavigation have appeared in the various collections from De Bry onwards, no complete English version of the journal should hitherto have been forthcoming. The want has at last been supplied, under the auspices of the Hakluyt Society, by Mr. de Villiers, of the British Museum. The appearance of such a version is particularly welcome from the fact that writers on Speilbergen's voyage have in almost every case trusted to the exceedingly faulty version of De Renneville in his *Recueil de Voyages qui ont servi à l'établissement et aux progrès de la Compagnie des Indes Orientales*. Among other errors which have thus been propagated is that which attributes the authorship of the journal forming the first part of the *Oost ende West-Indische Spiegel* to Jan Cornelisz. May, known to his contemporaries as 'Menscheter,' who took part in the voyage, but who is shown by Mr. de Villiers to have certainly not been the author of the published narrative. The elucidation of this point occupies a good deal of the introduction, which also supplies details on the career of May, distinguishing him from other voyagers with whom he has been, sometimes unaccountably, confused, besides giving brief indications of the course of Dutch maritime enterprise at the time. It will be noted that Mr. de Villiers adopts an unusual form of the navigator's name, but, though it is difficult to pronounce upon any one variant as the only correct one, he certainly seems justified in his preference, both from the use of the form Speilbergen in the navigator's own dedication of 1619, and from the fact that a spear is shown in a coat of arms in the 1605 edition of the first voyage, which points to the pronunciation *speil*, through 'spijl,' a pin or skewer.

Like the original Dutch work the volume includes the journal of the voyage of Le Maire, which ended so fatally for that enterprising navigator (the discoverer of Le Maire Strait, leading to Cape Horn) through the high-handed proceedings of the Dutch East India Company. The authorship of this, the editor points out, must still be left an open question. The book is also furnished with facsimiles of all the original plates and maps, as well as of two of the Dutch title-pages and of certain pages of the text. It is a welcome addition to the literature of the early Dutch voyages, and the editorial work has been satisfactorily done. The bibliography supplied by Mr. Soulsby is particularly useful in view of the multitudinous guises in which both journals have appeared.

E. HEAWOOD.

A Register of Magdalen College, Oxford. New series, Vols. IV., V. By WILLIAM DUNN MACRAY, M.A., Hon.D.Litt., F.S.A., Fellow, Rector of Ducklington, Oxon. (London: Frowde. 1904, 1906.)

DR. MACRAY here continues his admirable work upon the documents of Magdalen College. Each of these volumes consists partly of 'Extracts

from the Registers and Accounts,' partly of biographical notices of fellows. The period covered is from 1648 to 1820. These pages are full of small but often amusing fragments of history, valuable as illustrations not merely of Oxford ways but of the general social and ecclesiastical life of the period. It appears that for ten years (apparently 1649-59) there was no celebration of Holy Communion in the college chapel *ritu Ecclesiae Anglicanae*, or (it would seem) according to any other rite—a curious proof of the ecclesiastical chaos of the times. A squire's son, in the position of a gentleman commoner, expended no less than 80*l.* upon his tutor in two years. A large slice of the college income sometimes went in expensive presents to great persons. Gloves for the visitor cost no less than 7*l.* The visitor's inquisitions of 1665 still prescribe Latin-speaking at dinner. On the morning of 7 September 1684 out of forty fellows only five attended morning chapel. The office of Hebrew lecturer in this college still existed in 1706, and was filled by a converted Jew. In 1787 the amount that a gentleman commoner might be allowed to 'battel' for his dinner (perhaps in addition to the ordinary 'commons') was fixed at 2*s.* 6*d.* A mass of such lighter curiosities are collected by Dr. Macray. But these volumes cover the period when for a moment the history of England was centred in the fortunes of Magdalen College, and they contain some documents not previously published relating to James II's famous 'intrusion' of a popish president. One of them is an 'extravagantly arbitrary letter' (as the editor styles it) conferring on the intended President Gifford 'the full and sole power of nominating and admitting' new fellows and demies, and expelling members of the foundation at his pleasure. Another historical document of some interest is a long apology for himself by Robert Charnock, hanged for participation in the plot to assassinate William III in 1696. One other point at which these records touch upon matters of general interest is in connexion with the residence here as a commoner of George Fitz-Ernest, who is frankly described in the Vice-President's Register as *filius nothus celsissimi Principis Ducis de Cumberland, ex domina Jordan mima*. Among the biographies will be found valuable notices of Routh (whom the editor attempts to vindicate from the imputations contained in some well-known anecdotes), and of Phillpotts, bishop of Exeter, the list of whose pluralities is almost as lengthy as that of his controversial publications. It is startling to find that in 1850 the college misappropriated 100*l.* of college moneys, intended for the promotion of religion, learning, and education, as a contribution to the legal expenses of that prelate in the famous Gorham case. It is needless to say that Dr. Macray has done all that could be done to make these volumes not merely scholarly works of reference but most interesting reading.

H. RASHDALE.

Der staatliche Exporthandel Österreichs von Leopold I. bis Maria Theresia. Von HEINRICH RITTER VON SRBIK. (Wien: Braumüller. 1907.)

THIS work reviews the evolution of the Austrian export trade between 1658 and 1740. The period was the heyday of the mercantile system in Austria, where Becher was its first and chief exponent. His foundation

of a college of commerce at Vienna, and his encouragement of companies to engage in the eastern trade and in the manufacture of silk, reflected Colbert's work in France, while his visit to the United Provinces in 1671 was designed to obtain for wines and silks from the emperor's dominions preference over similar imports from France, upon grounds familiar to the contemporary political economy of England. The attempt to inspire the Hapsburg realm with commercial ideals was largely frustrated by the perpetual drain of exhausting warfare, which not only depleted the treasury but prompted the government to adopt any means, however short-sighted, in order to procure assured and immediate revenue. Consequently the customs were farmed out, and monopolies were granted of all kinds of commodities, from tobacco and coffee to honey and wax, from dance and music licenses to oysters and carnival masks. Other prejudicial influences were the want of a considerable middle class, the intolerance of the trade guilds, and the general dependence upon foreign capital. For these reasons the growth of cloth, linen, lace, glass, iron, and other industries, the progress of trade relations with the Turks, and the development of Trieste and Fiume under Charles VI are to be looked upon as hard-won triumphs.

The Ritter von Srbik devotes the bulk of his book to the history of the production of mercury at Idria in Carniola, and of the copper mines in northern Hungary. Mercury, besides being required for medicinal purposes, was then in great demand in America and the East Indies for extracting gold and silver from their ores and uniting with such metals into amalgams. Cinnabar (red sulphide of mercury) was used to make vermilion. These products were sent from Idria to Spain in the seventeenth century by means of Venetian ships plying from Trieste, but their more usual destination was Amsterdam or Hamburg, and the route thither was by way of Villach and Salzburg to Frankfort, and thence so far as possible by water carriage on the Main and Rhine. In 1691 the state discovered in the Idria mines the additional virtue of offering good security for loans, and they were charged with the repayment of 500,000 florins then advanced without interest by Samuel Oppenheimer, the 'court Jew' of the day, whose large but precarious fortune had been earned by raising loans for Leopold I and supplying the commissariat of his armies. This step was the precedent for the mortgage of the mines to Dutch financiers in consideration of successive loans raised in Holland in 1695, 1698, 1702, and 1704. At the end of 1704 the debt to the mortgagees amounted to nearly 800,000*l.*, and though the process of redemption began in 1724 it was not completed until 1734. During this period the sale of mercury from Idria was prejudiced, in the first place by fixing a minimum price without regard to the fluctuations of the market, and secondly, by the English East India's Company's success in finding a new source of supply in China, and thereby excluding alien vendors from the British market while underselling them abroad. The writer reasonably deplores that, while Prussia ceased to rely on foreign loans after 1713, Austria sank deeper than ever in her indebtedness to Dutch capitalists, and that the terms on which she had mortgaged her mercury production made Amsterdam the staple for its sale, and vested the whole profit as well as the management of the industry in the same

grasping power which destroyed the Ostend Company. Similarly the copper mines of Neusohl and Schmölnitz, the output of which found ready purchasers at Vienna and in North Germany, Poland, Turkey, and Italy, were controlled by Dutch mortgagees between 1700 and 1786. After their redemption the government again charged the copper mines with the repayment of 820,000*l.* lent to it by the Bank of England in 1787, and the mercury mines with the repayment of 70,000*l.* advanced by Dutchmen in 1789, but on more moderate conditions, and so as not to deprive the Austrian state of the right to receive the surplus proceeds of sale in excess of the interest provided for in the agreements of mortgage.

The author has examined exhaustively the archives of Vienna and Grätz, and the records of the trades with which he deals more particularly, and his book is almost overwhelming in its detail. Its outlook is purposely limited, and its language inclines to be technical. Schedules of the production and market prices of mercury and copper in each year are appended. An index would have been no less useful. The principal subjects of the work have been but partially treated previously by German writers, while, though there are casual references to the mortgage of the mercury mines in the contemporary memoirs of Ker of Kersland, we believe that no English authority deals with it directly or to any serious extent.

GERALD B. HERTZ.

Storia della Rivoluzione di Messina contro la Spagna (1671-1680).

Da FRANCESCO GUARDIONE. (Palermo: Reber. 1907.)

SIGNOR GUARDIONE'S account of the Messinese rebellion is based mainly upon a volume of documents previously published, a few of which are reproduced in the book itself. His results are in general those of most modern writers on the subject, though he is more severe than usual on the Messinese senate. The power and pride of that body, perhaps the most autonomous under Spanish rule, are well brought out, and its pre-occupation with the maintenance of its ancient privileges. So long as Spain did not interfere with the senate's dignity there was peace, but an unwise governor, or *stratego*, del Hojo, tried to humiliate it by stirring up the lower classes, already maddened by famine, against the nobles, and by fomenting private factions among the citizens, taking part of the so-called 'Merli' against the 'Malvezzi.' Many persons were exiled by him, including Alfonso Borelli, the famous man of science, who was teaching in the university. Del Hojo thought that the government would be able to take advantage of internal dissensions to assert its own authority against the senate, but, on the contrary, he merely exasperated the upper classes with disastrous results. The viceroy removed Del Hojo, but he returned to Spain and persuaded the home government to treat the Messinese with contemptuous severity. It determined to crush Messina once and for all, and replaced the tolerant viceroy, De Ligny, by the violent Bayonna, sending to Messina a new *stratego*, Soria, who was guided by Del Hojo's advice.

The revolt actually began by an attack of the Merli upon the senate, but, in spite of Del Hojo's manoeuvres, the populace threw itself

unreservedly upon the side of the latter ; and a general assembly of the citizens, while protesting their loyalty to Spain, declared the *stratego* to be a 'capital enemy' of the city. Signor Guardione describes in an interesting manner the long struggle of the citizens against the *stratego* and Merli, and the taking of the royal palace and of the forts by the former. But no sooner has the rebellion well begun than Signor Guardione seems to lose all sympathy for the senate, which was really in a very difficult and dangerous position ; and, not only accusing it justly of treachery and tyranny towards its enemies, he also blames it for abandoning the ideal of liberty and for appealing to France for protection. He expects too high a standard from a body of seventeenth-century burghers, who were ignorant of such ideas as the rights of man and republican liberty, and who were quite convinced that the maintenance of their senatorial privileges was the only means of preserving the prosperity and good government of the city. No doubt their policy was mistaken and they would have been far wiser to make terms with the Spanish government after giving it a good fright : but they were simple people and were easily deceived by the protestations of so clever a politician as Louvois. But to suppose that they could have maintained their independence of both powers is greatly to overrate their potentialities ; nor is it conceivable, in face of the universal hatred for Messina felt in the rest of the island, that the Messinese could have succeeded in raising a united Sicily against the oppressions of Spain. Palermo did not love Spain, but she hated Messina far more. If Louvois had felt himself strong enough, he would probably have fulfilled in earnest the promises which he made to the Messinese ; but, though undoubtedly the culpability of France was very great, yet Signor Guardione's own account confesses that there was some slight excuse for her duplicity. Vivonne found from the first anything but whole-hearted co-operation and support in Messina (p. 171), while the members of the very senate which had called in French help were intriguing secretly with Spain even before Vivonne's arrival (p. 152), and again early in 1677 (p. 264). The enthusiasm of the Messinese soon cooled, and they were obviously tired of the war, and 'wanted to return to quiet' while Vivonne was still fighting for them (pp. 224, 264).

Signor Guardione's account of the naval war is detailed and spirited ; the land campaign was in itself less interesting. Signor Guardione has not a very good opinion of Vivonne, and gives him no credit for his long struggle against insuperable difficulties and in the most disheartening circumstances. He tells the end of the sad story with interest and pathos, but expects rather an impossible forbearance from Spain when he blames her for not forgoing her revenge upon Messina.

K. DOROTHEA VERNON.

Fontenelle: l'homme, l'œuvre, l'influence. Par LOUIS MAIGRON, Professeur Adjoint à la Faculté des Lettres de Clermont-Ferrand. (Paris : Plon. 1906.)

WITH the exception of Voltaire and Rousseau, perhaps also of Bayle and Montesquieu, no one influenced French thought in the eighteenth century

more profoundly than Fontenelle. Yet he is now seldom read, and, except to students of literary history, is little more than a name. A well-written life therefore of this remarkable man, a sufficiently full analysis of his writings, and a judicious appreciation of their value and importance comprised in one volume of moderate size ought to be welcome to many readers. Fontenelle would be interesting if only as a link between the seventeenth and eighteenth centuries. The man who was for some time the guest of his uncle, the great and elder Corneille, lived to see himself cited in the 'Introductory Discourse' of the *Encyclopedia*, and in the latter part of the eighteenth century could startle his company by beginning an anecdote with, 'Once when I was sitting with Madame de la Fayette I remember Madame de Sévigné coming into the room.' To have lived a hundred years, to have known all the remarkable men of three generations, is in itself a claim to distinction. M. Maigron tells us how Fontenelle practised the art of living to be old. Weak health in his youth, which a good constitution enabled him to outgrow, but which left him with the habits of a valetudinarian, a cold heart, sluggish emotions, and a good digestion, were an admirable natural equipment, which he turned to the best account. His apathy, had it not been that of a selfish hedonist, would have been admirable. He never lost his temper, once and once only in that tearful generation he is believed to have wept, but he never laughed; he had never been known to run; though a fluent talker and fond of reasoning he would never argue; if contradicted he became silent; he was polite and affable, but never obliging, since that might entail trouble. But for all that he was a charming companion; his determination not to give offence and to avoid controversy gave a modest tone to his very interesting conversation and good-nature to his abundant pleasantry.

When he comes to consider Fontenelle's writings M. Maigron is severely impartial. He has no good word for the poet, dramatist, and critic, who was a violent opponent of the 'ancients,' partly owing to an hereditary feud with Racine and Boileau, partly because he was insensible to what is great in art and poetry and on principle an enemy of simplicity. His criticism of Theocritus, his incapacity to appreciate Homer—the *Aeneid* appears to him an improvement on the *Iliad*, and the *Clélie* and the *Astrée* greater than the *Aeneid*—and even more conclusively his own poems show that Fontenelle had no conception of what poetry really is. M. Maigron's judgment is quite unwarped by a biographer's partiality. M. Laborde Milaa, who contributes the volume on Fontenelle to the *Grands Ecrivains Français* series, after pointing out that the *Lettres Galantes du Chevalier d'Her* . . . are a connecting link between the Hôtel de Rambouillet and Marivaux, pronounces them to be superior in taste and wit to the works of the earlier *précieux*. Indeed he has little but praise for this production of Fontenelle's youth, of which Voltaire said that nothing had ever been written in worse taste. Not so M. Maigron, who only dwells upon *cette collection de choses misérables qui s'appelle 'Les lettres galantes'* because they illustrate the corruption of the author's taste by that false wit which had survived the ridicule of Molière and Boileau. He justly points out that the preciousity and affectations of Fontenelle are more displeasing than those of the earlier generation; for

while the authority of the Hôtel de Rambouillet had been exerted on the side of decency there is in Fontenelle a strain of frigid and deliberate grossness. Such influence as he had on French literature was not for good. Bad taste, the love of foolish conceits, the dislike of simplicity and directness could not prevail against the example of the great classics of the seventeenth century. Even Fontenelle himself in his later days was not uninfluenced by them; but the fashion he set of cold-blooded indecency was to continue. Even in our day the writer who perhaps alone can challenge comparison in style and wit with the best masters of French prose does his best to ruin the effect of his admirable art by occasional and gratuitous outbursts of tasteless obscenity.

On the other hand M. Maigron does full justice to the great part played by Fontenelle, as the populariser of philosophical and scientific ideas, in preparing the way for the 'philosophers' and the encyclopedists. He was one of the first leaders of the reaction against the seventeenth century. He turned against tradition and authority the weapons which an earlier generation had attempted to use in their defence—the pessimism of Pascal, the method of Descartes. Fontenelle is, as M. Maigron points out, a Cartesian. Descartes, after proving to his own satisfaction the existence of God, had used him to escape the agnosticism which is the logical outcome of his analysis. In Fontenelle's *Dialogue des Morts* the dead are all the same pitiless analysers. 'Use your reason and what remains of fame, of virtue, of wisdom, of truth,' this is the burden of the book. It is, says Sainte-Beuve, philosophy moving to the tune of a minuet. But the airs and graces of the wit hardly conceal, or rather they emphasise, the sadness of the measure of which scepticism and pessimism are the theme. Descartes himself is made to allow that, though a trifling and isolated truth may now and again be discovered, little progress is made in essential knowledge. Truth is ever escaping us; in the end we shall have to recognise that it is unattainable and shall wisely abandon a hopeless pursuit. M. Maigron considers *Les Entretiens sur la Pluralité des Mondes* Fontenelle's masterpiece. In this the lesson insinuated is much the same. The vastness and order of the universe are insisted upon to throw into relief the impotence and folly of man. The destructive tendencies of the treatises *Histoire des Oracles* and *De l'Origine des Fables* are even more marked. 'In them,' says M. Maigron, 'we find scattered by an apparently careless and unconscious but really most cunning hand the germs of the ideas which are soon to spread so widely. . . They do more than herald and prepare the way for Voltaire and his school; they already contain the very quintessence of the eighteenth century: they are Voltaire pure and simple.' They show that the miraculous is nothing but the product of the ignorance, folly, and credulity of the many and of the deceit of a few charlatans and cheats. The author of course is careful to point out that he is only speaking of those who are unenlightened by revelation. He had no wish to be a martyr, nor would he embark on a controversy with those who denounced the tendencies of his doctrine.

In 1697 he became 'perpetual secretary' of the Académie des Sciences; in 1702 he began to publish the history of the Academy, of which a volume appeared yearly. M. Maigron thinks that this book

shows us what Fontenelle might have accomplished if he had devoted himself wholly to science. But it may be doubted whether he could have done better. His skill in making the methods and the results of scientific investigation generally intelligible and interesting was the most remarkable of his talents, and in these volumes it is used to the best purpose. He was extraordinarily versatile and clever, but he was no genius, and there is no reason to suppose that he would have excelled in original work. The great ideas to be found in the history of the Academy, such as those of scientific progress, of the universality of law in nature, of the unity of the sciences as branches of one supreme science, were none of them originated by Fontenelle, but he could not better have employed his singular felicity of exposition than in making them intelligible to those who shrank from or were incapable of intellectual effort. Yet, as M. Maigron points out, Fontenelle had no wish to popularise too far the doctrine he taught. 'Let us be content,' he writes in the *Pluralité des Mondes*, 'to be a small and chosen flock, let us not divulge our mysteries among the people.' And really even for the chosen few scientific truth is a superfluous luxury, except so far as it supplies a key to unlock the fetters of superstition: 'to know how our world is made, and whether there are other worlds like it, would seem to be a question which ought to interest us, and those who have thoughts to spare may, if they please, spend them on such subjects; but not every one is in a position to incur such useless expense.' Anxious to avoid controversy, with no enthusiasm, no troublesome convictions, avoiding emphasis and rhetoric, Fontenelle lacked most of the qualities of a leader, and it is not strange that he should have been eclipsed by others more stirring, who, although not more acute, had the passion, the energy and fire, in which he was wanting.

P. F. WILLERT.

The Woodhouselee MS. Printed from Original Papers in the possession of C. E. S. CHAMBERS. (Edinburgh: Chambers. 1907.)

THIS hitherto unpublished narrative of events in and round Edinburgh during Prince Charles's occupation of the city in the autumn of 1745 was probably written by Patrick Crichton, an Edinburgh saddler and ironmonger, who purchased the estate of Woodhouselee in 1784 and held it till his death in 1760. His manuscript narrative was in the possession of Dr. Robert Chambers when he was writing his *History of the Rebellion*. It is now printed by Dr. Chambers's grandson, and is edited with discretion and avoidance of over-elaborate exegesis by Mr. A. Francis Steuart. To both the thanks of students of eighteenth-century Scottish history are due.

Patrick Crichton, if he was the author of the manuscript, was a whig and presbyterian. The highland occupation of Edinburgh he viewed with dismay. Of an enterprise which fired the Jacobite stalwarts and heartened the cryptic adherents of the Stuart, the author writes:

A popish Italian prince with the oddest crue Britain cowl'd produce came all with plaids, bagpipes and bairbuttocks, from the Prince to the baggage man.

An engaging prayer framed by him denounces 'the dreg and scum of a nation [who] have trowbled the waters.' He adds :

O Lord, make owr enemies, for they ar risen up against The, make them as Zeba and Zalmuna; make there carcasses fall as dung to fat the land, for they have brock all the lawse of hospitality and humanity.

Apart from the fact that it is written from the whigs' point of view, there is in the narrative, as Mr. Steuart remarks, little of historic novelty. But it pulsates with actuality, and is a really valuable supplement to John Home and the record of Provost Stewart's trial as to events in Edinburgh from Prince Charles's arrival to his departure towards Derby. On the whole the author is favourably impressed by the discipline and moderation of the highlanders :

The rebels approached [Edinburgh] with good disziplin; for to give them there due never did 6000 theiving naked ruffiens with uncowth wappons make so harmeless a march in a civilised plentifull cowntry.

As the prince turned down by the King's Park towards Holyrood 'he was informed Generall Cope had landed at Dunbar. He answered "Is he by God?"' On the following day (17 September) the author was present at the proclamation of James VIII at the Market Cross. The highlanders 'with there bagpipes and loose crew' formed a large circle round it.

I observed there armes, they were guns of diferent syses, and some of innornowows lengh, some with butts tur[n]ed up lick a heren, some tyed with puck threed to the stock, some without locks and some matchlocks, some had swords over ther showlder instead of guns, one or two had pitchforks, and some bits of sythes upon poles with a cleek, some old Lochaber axes.

The author gives a spirited account of the battle of Prestonpans. He comments :

It may be fittly called the Chase of Cockenie or Tranent reither than the battell, for never deers run faster befor hownds than these poor betrayed men run befor a rabbell. . . . Poor Cope fled in to the *Fox* man of war in the Firth.

Of Colonel Gardiner he writes :

It is said he was against the generall's disposition; but the good man was in so bad a state of health he cowl'd not have lived long, and few if any in the military were so much in a habitwall preparation for death as he.

Of the desultory cannonading of the city by the guns of the Castle the author gives a considerable account. Alan Ramsay's house on the 'north skirt of the hill' was destroyed. The author calls Ramsay 'the mungerall burluescke poet.' His whig prejudices however allowed him to regard Lochiel as 'the politest man of the partie.' With relief the author observed the departure of the highlanders from Edinburgh in the early days of November. Through his 'prospect' he marked the prince's guard of gentlemen wearing 'huzare dress with furred caps, long swords or shabbers, and limber boots.' Mrs. Murray of Broughton was with them, wearing 'a white plumoshe fether' in her cap.

C. SANFORD TERRY.

Souvenirs et Fragments pour servir aux Mémoires de ma Vie et de mon Temps. Par le Marquis DE BOUILLÉ. Tome I (1769–Mai 1792). (Paris: Picard. 1906).

THE Société d'Histoire Contemporaine has done well to arrange for the publication of these memoirs. They promise to fill a gap in the literature of the period. The marquis de Bouillé, in an 'Avant-Propos' written in 1828, admits that the number of French *mémoires* of that period was legion, that very many of them were inspired by *la vanité qui caractérise notre nation*, and that the historian of the future would find it very hard to disentangle the truth from their conflicting statements. His recollections however are more convincing than very many of such writings are wont to be. They are simple and direct, and though written at a late date in his life they manifest little or no egotism.

The time of his education was by no means happy; the severity of some of his tutors (due in part to the advice of his own mother) and the slipshod methods of others made him dislike and despise the teaching staff at the Collège de Navarre; and his father withdrew him from it in the spring of 1785. In due course he entered the army, and went to Berlin in order to improve his knowledge of the art of war. It is needless to recount his experiences there or at Vienna in the winter of 1787–8. He returned to France at the close of 1788, when the struggle between Louis XVI and the *parlements* was at its height; but his comments are of little value except as showing *l'esprit frondeur* of society at Paris. For himself he desired a civil war as being the only means of solving the political problem. His ardent royalism or his optimism evidently made him rate the loyalty of the army too high. He was serving at Neufchâteau, in Lorraine, as captain in the *Mestre-de-camp-général* of dragoons, when the Revolution burst forth; and the cavalry regiments, as is well known, were less insubordinate than the infantry regiments. His censure of Marshal de Broglie for his *inexcusable incurie* during the great *journées* 12–14 July 1789 is perhaps justifiable; but the marshal had a hard task to hold together troops who had come under the fascination exerted by the populace of Paris. A hero might have saved the situation; but De Broglie certainly had no heroic qualities. After the loss of the Bastille the marshal urged the king to leave the neighbourhood of Paris (*ce foyer volcanique*), and, putting himself at the head of his army in the provinces, march back and crush the Revolution by force. The young De Bouillé applauded that plan; but surely it was too late when Paris had successfully defied the monarchy, and when large parts of the provinces were aflame with the *jacquerie*. De Liancourt's advice to seek a reconciliation pointed out what was probably the only practicable course.

This part of the volume abounds in descriptions, at second hand, of events on which only the best evidence should count at all. Such are his accounts, through Madame Balbi, of the Favras affair and of Mirabeau's relations with the comte de Provence. Mirabeau is reported as saying of the count, *Cet homme ne vaut pas mieux que l'autre [le roi]; il a peut-être plus d'esprit, mais pas plus de caractère; et l'on ne peut rien en faire*. It is very doubtful whether Mirabeau would have uttered

(whatever he thought) words so disrespectful to the king, whose confidence he so much wished to gain. The date assigned for the final rupture between Monsieur and Mirabeau (May 1790) is also open to question. The date was almost certainly January 1790. De Bouillé's lack of statesmanlike insight is shown by his remarks on the Feast of Federation, (14 July 1790), an event in which he saw only the triumph of Lafayette and the humiliation of Louis XVI. It did not occur to him that, had the king utilised the enthusiasm which then undoubtedly centred in the renovated monarchy, things might have gone very differently. His defective sense of causation is also seen in his referring the terrible mutiny at Nancy to the intercourse which took place at the great festival between the deputies of the line regiments and those of the national guards. That may have been a subsidiary cause; but the grievances of the soldiery (especially the arrears of pay), which formed the chief irritant, are scarcely noted here. The account of the suppression of the mutiny, in which his father, then the marquis de Bouillé, and he played so energetic a part, is, of course, of considerable value.

Even more important were the duties that devolved upon young De Bouillé at the time of the attempted escape of Louis XVI, which ended so miserably at Varennes. He presents here a full account of the military arrangements made to facilitate the escape, and dwells on the importance of the services that might have been rendered by the Austrians, had the emperor Francis had the courage to send forward 12,000 or 15,000 men as far as Montmédy—a place well suited for a royalist camp or place of arms. The hesitations of the emperor, the growing difficulty in keeping the French troops together, the delays at Paris, and their fatal consequences all are well set forth here. The particulars respecting the flight from the Tuileries are due to the information furnished by Count Fersen to De Bouillé; but a few corrections by the editor on small points of detail might well have been added. De Bouillé's censure on De Choiseul for withdrawing with his troop from his post at Pont de Somme-Vesle is by no means too severe; and incidentally his narrative discredits the version which that officer gave in his *Relation*. On the other hand De Bouillé's attempt to defend the chevalier de Bouillé for his failures, or mistakes, is far from convincing. It is however impossible here to assess the culpability of officers in what was certainly a very complex situation.

The writer of these *mémoires* retired to Brussels, and, after seeing something of the emigrant princes and nobles at Mainz and Coblenz, undertook a mission to Sweden in the early part of 1792, in order to discuss plans for a monarchical crusade. He found the king eager, but entirely without funds. Everything at court wore a lugubrious air. As for the plan of campaign, Gustavus III desired to lead an army from some port in the north of France, preferably Havre, direct to Paris, and wished to have as little as possible to do with the *émigrés* and the Austrians. Rouen, he hoped, would furnish him with supplies and a base of operations. Internal troubles in Sweden and the ambiguous attitude of Catharine II of Russia led to discussions, during which the king was assassinated. The chapters which describe this event and its consequences are full of interest. An account of the interview of De Bouillé

with Prince Henry of Prussia in May 1792 closes the volume. It has a full index of proper names; but more editorial notes are needed. In particular it would have been well to state something about De Bouillé's father, whose memoirs, published first in England and then at Paris in 1801, supplement these at several points. J. HOLLAND ROSE.

Recollections of James Anthony Gardner, Commander R.N. Edited by Sir R. VESEY HAMILTON, K.C.B., Admiral, and JOHN KNOX LAUGHTON, M.A., D.Litt. (Navy Records Society. 1906.)

THE picture of everyday life on board his majesty's ships during the later years of the eighteenth century, given in this book, is an acquisition of no small value. Of descriptions of that life in works of fiction there is, of course, no lack, but we have hitherto had little means of testing their accuracy. Gardner's life at sea began in 1782 and ended twenty years later. While he took part in a few noteworthy events, being present at Howe's relief of Gibraltar, serving in the Mediterranean in 1798-94, as lieutenant conveying Russian troops to the Texel, and the like, his *Recollections* are almost exclusively valuable as illustrating the personal and social side of naval life. The volume has been edited in a thoroughly satisfactory manner. Gardner's many stories contain a good deal of coarse language, but there has been as little bowdlerisation as possible; the notes are helpful, and the comments on the narrative given in the introduction are judicious and interesting. Gardner was evidently a smart officer and a good fellow, who took life as he found it and did his duty; and though, in spite of interest, he did not have a distinguished career, probably, as the editors remark, both because he married early, a step then, as now, likely to be a serious hindrance to promotion, and because he would 'pick and choose his service,' he had no grudge against the navy, and he speaks without malice even of those of his superiors and messmates whom he had good cause to dislike.

His narrative, the editors consider, shows that considerable progress had been made since Smollett's day, forty years before, when the future novelist was a surgeon in Vernon's fleet, that naval officers were less coarse and life at sea less hard. Some improvement there certainly was; but it should be remembered that though Smollett doubtless could have produced chapter and verse for all the coarse and brutal doings he relates in *Roderick Random*, they could scarcely have occurred on one ship in one year: he collected his materials together for the purposes of his novel, and it is unsafe to conclude that his account of events on board H.M.S. *Thunder* is a fair representation of life generally on board a man-of-war. In any case, things were bad enough in Gardner's time. Excessive drinking was, perhaps, even more prevalent than on land, and it led to much violence and disorder. Practical joking of a senseless and cruel kind was common, and in this respect Gardner's stories to some extent bear out the description of Captain Mirvan's exploits in *Evelina*, though there is nothing here which would justify us in believing that men of his rank in the service were in the habit of indulging in the horseplay usual in the cockpit. We must accept Captain Mirvan on the ground of his creator's genius for observation, and can only hope that in this instance

she was not describing a common type.' Goodnaturally as Gardner speaks of others, he records many instances of tyranny; in one ship there was mastheading on every trifling occasion, in another the senior midshipmen were 'infernal tyrants,' in a third a lieutenant would thrash men with a rope's end until he was tired, cursing and abusing his victim, and so on; and we have abundant proof, though indeed such proof is needless, that brutality often took the place of the strict discipline necessary for the management of the rough element which so largely prevailed among the ships' companies of that time. Insubordination naturally followed: Gardner speaks of a mutiny which broke out in several ships at the peace of 1788, and of another on board the *Barfleur*, in which he was serving, in 1791. Of the mutinies of 1797 he does not say much; he was then a lieutenant, and seems, so far as he had a chance, to have acted with decision, but he was forced to quit his ship, the *Hind*, along with his captain, at Spithead. In the midst of much that was rough and brutal it is interesting to find that, though he left school in his twelfth year, he and many of his messmates had some cultivated tastes; they knew a certain amount of Roman history, quoted Virgil, and had read works of English literature. With reference to this, the editors observe with evident regret that nowadays youngsters in the navy, while carefully instructed in mathematics, have little opportunity of acquiring the amount of liberal education which Gardner displays. Their remark that he appears not to have studied Shakespeare is strange: his jest about Bardolf's fiery countenance (p. 75) and his quotation from 'Macbeth' (p. 246), though not necessarily implying study, point the other way.

WILLIAM HUNT.

The Napoleonic Empire in Southern Italy and the Rise of the Secret Societies. By R. M. JOHNSTON. (London: Macmillan. 1904.)

It is a matter for comment that the history of the kingdom of Naples during the Revolutionary and Napoleonic wars should hitherto have received so little attention from English writers and students. The importance of the subject is manifest from two points of view. In the first place it illustrates the different methods adopted by the French and the British governments of the time in dealing with the populations of territories occupied by their respective military forces, a contrast which is exemplified by comparing the Napoleonic *régime* in Naples under Joseph Bonaparte and Joachim Murat with contemporaneous British rule in Sicily. Further, it forms one of the most interesting chapters in the history of the rise of British supremacy in the Mediterranean and of the struggle between the newly awakened nationalism of the early nineteenth century and the world-wide ambitions of Napoleon Bonaparte. It was only by a mere whim of fate that the scene of the great struggle on land between Great Britain and the French empire was shifted from the Italian to the Iberian peninsula. Napoleon had selected southern Italy as the base from which his projects of oriental empire were to be carried into effect. His intention was that the occupation of the Neapolitan kingdom by his troops should lead to the annexation of Sicily, which would form a convenient base for a raid on Egypt. Once Egypt

was in French hands the road to the East Indies was clear. The foiling of this scheme was not entirely the work of the invincible British navy; it was to no small extent due to the pertinacity with which the handful of British troops garrisoning Sicily clung to their allotted post. It was at the obscure village of Maida, on the coast of Calabria, that the soldiers of Napoleon were for the first time decisively defeated by the red-coated infantry of King George, a victory which aroused the greatest enthusiasm at the time, but which is now entirely forgotten. One cannot help wondering how many of the present-day residents in Maida Vale have even heard of the decisive battle after which their peaceful road is named. This apathetic attitude towards Neapolitan affairs at the commencement of the past century is no doubt largely due to the absence of any complete and authoritative history dealing with the rise and fall of the Bourbon monarchy in southern Italy. It can safely be said that such a work does not exist at present. The reason for this is most probably to be found in the fact that almost every writer who has been concerned with the period has, in some guise or other, either assumed or been forced into the position of an apologist, and has thereby been led to present his subject from what is of necessity a narrow and sectional point of view. Helfert, for instance, as he candidly admits, has as his chief object the redemption of the good name of Queen Caroline. Gagnière and other French historians are at pains to emphasise the benefits accruing to the Neapolitans from the intervention of France in their affairs. Italian writers, until quite recently, frankly adopted a partisan attitude, the virulence of which was on a level with the inaccuracy of their conclusions. Of late years the Marchese Maresca and Professor Croce have among others done invaluable research work of an extremely scholarly and impartial character, which has however been directed rather to the investigation of particular episodes than to the elucidation of the period as a whole.

The volumes under review are valuable in so far as they furnish an introduction to the period to those who are deprived of access to more authoritative works. Mr. Johnston has collected from a variety of sources a mass of information, and has presented his subject from a broad and impartial point of view. The first volume deals with the history of Naples from the entry of Joseph Bonaparte into Naples in 1805 down to the execution of Joachim Murat. The second volume is concerned with one of the most interesting episodes in modern European history—namely, the story of the rise and fall of the secret societies in southern Italy from 1815 down to 1821. The subject is of necessity obscure, but a great deal of fresh light is thrown on it by Mr. Johnston. He shows how the kingdom of Naples was at this time honeycombed with innumerable mysterious associations, of which the Carbonari were the best known and the most important, though others, such as the Decisi and the Patriotti Europei, were a source of great trouble to the Neapolitan government. This topic has an important bearing on the history of the *Risorgimento*, which cannot be fully appreciated without recognising the part which these societies played in fostering and developing the nationalist movement throughout Italy. To Freemasons the subject will be one of especial interest, as there can be no doubt that these

associations originated from and found their chief inspiration in the organisation and ritual of the craft. Mr. Johnston has however by no means said the last word on any part of his subject. The most noticeable omission is the absence of any allusion to the British *régime* in Sicily under Lord William Bentinck. It is true that the Foreign Office refuses access to some of the evidence available, but it is impossible to avoid the conclusion that Mr. Johnston has not utilised to the full the material which is accessible. He himself claims to have discovered the Memoirs of Queen Caroline, and states that no inconsiderable portion of the narrative deals in detail with this subject, but he has made no effort to elucidate it by references to or extracts from this extremely important manuscript. The result is a pronounced hiatus in his otherwise admirable work, which is all the more to be regretted in that it seriously detracts from the interest and value of the volumes under review. Until the promised appearance of the text of the Memoirs judgment as to their authenticity must perforce be suspended.

H. C. GUTTERIDGE.

The Canadian War of 1812. By C. P. LUCAS, C.B.
(Oxford: Clarendon Press. 1906.)

It may be doubted whether any nation plunged with so little preparation into an aggressive war as did the United States in 1812. Though they had on their side a great superiority of numbers, and Great Britain was so deeply involved in the European struggle with Napoleon that she had but little attention to give to a colonial war, yet so inadequate was the American plan of campaign that in the opening year of the contest the main advantage lay with the attacked. The Americans attempted to invade Upper Canada from both ends of Lake Erie. Both attempts failed. One army was forced to capitulate and the other was defeated on Queenston Heights.

What were the causes of the American failure in 1812? To this question the author hardly seems to give an adequate answer; rather, instead of answering it, he confines himself to restating it. He thus sums up the operations of the first year of the war: 'To a great extent on land, to a greater extent on sea, it consisted of a series of more or less isolated episodes. While the continent of Europe was a theatre of war organised on a vast scale under the greatest captains of modern history, in the west there was a side-play in which men of English race had a succession of rounds with each other in a kind of prize fight. Only in Canada itself was there an infant people learning to stand up steadily and fight for its existence.' But the point of view which regards the war of 1812 as a side-play on the part of both combatants is one-sided. It affords an explanation which is true of England only. It fails to explain the feeble efforts of America. She was not engaged in the European struggle. She was indeed an interested spectator, because its continuance threatened the extinction of her foreign trade. But the blockade, of which she was a victim, was enforced within her own waters. What the author seems to overlook is, that the war was forced upon the government against its own wishes. It was the price which Madison had to pay for his re-election to the Presidency. Nor was the war, as the author

apparently regards it, the work simply of the Southern States imposing their will upon the Northern. It was rather the work of a new and strange generation, the pioneers of the West, who, pugnacious and quarrelsome as the consequence of continuous warfare with the Indians, with no commerce of their own to be damaged by war with the great naval power, looked forward to finding in Canada an easy victim. Of this party, named by contemporaries the 'Warhawks,' Henry Clay, a Kentuckian, was the most fiery speaker, and its greatest man of action, Andrew Jackson of Tennessee. It is not strange that a government thus constrained proved but half-hearted in the conduct of the war. It would not be fanciful to liken Madison embarking on this war to Walpole driven by public opinion into the war with Spain. Both entered upon war not so much with the view of conducting it to a successful issue as in the hope of terminating it by an early peace. In the spring of 1813, before the war had lasted a year, the American government accepted the tsar of Russia's offer of mediation, and the invitation of the English government to open direct negotiations was promptly acceded to at the beginning of the next year. When a government begins a war in such a spirit, it is vain to look for a carefully thought out strategical conception underlying the military operations, which are therefore foredoomed to failure for lack of intelligent combination.

The conquest of Canada was a far harder task than the fire-eaters of the West imagined. Although the population of Canada was little more than one-twelfth of that of the United States (counting only the whites in both) and less than 5,000 British regular troops were serving there; though the colony was separated from the mother country by 'an immense ocean and an extensive wilderness,' yet the American regular army was not only very small in numbers but also of poor quality, owing to the lack of military tradition and of experience in regular warfare. Nor was the American government free from geographical difficulties of its own; in the absence of railways its great resources could not be readily made available. It is probable, too, that the American constitution at the beginning of the nineteenth century was as ill-adapted as the British at the end of the same century for waging a great war. When tried in the fire of a national war, the bonds of the Union seemed in danger of dissolution. Their trial came too soon; not a generation had passed since they were forged. The New England states threatened secession. America's first national war, if further pursued, might have terminated her national existence. Still, after making full allowance for inherent difficulties, the smallness of the armies which the United States succeeded in putting into the field excites surprise. The two armies actively engaged in 1812 at either end of Lake Erie only numbered between them eight or nine thousand men. Nor was there any marked improvement in this respect to be found in the next year. On the Detroit frontier the scanty British force was in its turn compelled to capitulate. But the main operation of the year was intended to be a combined movement upon Montreal. One army was to descend the St. Lawrence from Lake Ontario, and the other to take the overland route from Lake Champlain. The proposed plan of campaign stands out as the solitary instance of strategical insight on the part of the American government. It would

have isolated Kingston, and the conquest of Upper Canada would have followed. But the united strength of the two forces would not have much exceeded 12,000 men, and to secure their co-operation, which was absolutely necessary for success, no effort at all was made by the government. The defensive measures of the Madison administration were as inadequate as their offensive. For the defence of their capital against Ross's raid in 1814 they could only bring together some 7,000 men, mostly militia, and their quality was so poor that in an hour they were routed by a force not a quarter their numbers. The land forces mustered for the protection of Baltimore were hardly more efficient, and that city was only saved from the fate of Washington by the strength of its harbour defences.

Mr. Lucas approaches his subject from a Canadian point of view. 'The war was the national war of Canada.' To Upper Canada it gave 'the memory of a national achievement.' For Canada as a whole 'it did more than any other event could have done to reconcile the two rival races [British and French] to each other.' Though the author has unquestionably achieved his task, and produced an interesting and instructive account of an episode which marked an epoch in colonial history, yet the point of view which he has selected has its limitations. It involves a certain lack of proportion. The argument with which he seeks to justify the destruction of the public buildings of Washington, 'as a retribution in kind' for the devastation of York, is hardly convincing. The difference in degree was so great as to constitute a virtual difference in kind. An amount of space is assigned to the proceedings of the Canadian legislatures which seems disproportionate when compared with the meagre references to the British parliament and American congress. The attempted impeachment of the chief justice of Lower Canada merely required mention without detail, if the author's object was only to show that 'the cloud of war did not hang heavily over Quebec.' Nor does his treatment of the naval side of the war altogether commend itself. On this subject he seems to say either too much or too little. He sweeps aside the excuses put forward to explain the British reverses in the frigate actions of 1812 with the remark that 'war is a matter of business, not of knight errantry.' The triple success of the American frigates was a disquieting episode, but only an episode. That it had no permanent result may be fairly argued from the fact that during the rest of the war only one frigate action took place, and that was the memorable engagement between the *Shannon* and the *Chesapeake*. 'To both sides alike the command of the inland waters was essential for success in the war.' The annihilation of Barclay's squadron on Lake Erie gave the Americans undisputed control of the theatre of war west of the Niagara, and the capture of either Kingston by the Americans, or of Sackett's Harbour by the English, would have been decisive of the struggle round Lake Ontario. The annihilation of another British flotilla on Lake Champlain caused the immediate abandonment of Prevost's offensive movement in September 1814.

But though the author recognises the importance of the lake warfare, he hardly seems to estimate fairly the causes of the British defeats. A letter written by Barclay shortly before the decisive engagement on

Lake Erie states the chief reason: 'The ships are manned with a crew, part of whom cannot even speak English, none of them seamen, and very few even in numbers.' The author quotes this letter, but instead of emphasising the deficiencies of the Canadian boatmen inclines to put the blame upon the defective armament of their vessels. Nor does he seem to appreciate the fact that the American lake flotillas were in large part manned by picked seamen sent from their crack frigates, which were laid up in harbour. 'From the point of view of military history the record of the war of 1812 is full of interest and instruction.' One of those who served in it denounced it as a 'species of milito-nautico-guerilla-plundering warfare.' Its real interest seems to lie in the fact that on both sides it was waged with mixed forces of regulars and volunteers. In the first two years of the war the advantage clearly lay with the Anglo-Canadian forces, because the British veterans formed a nucleus round which the Canadian volunteers could rally, while the American regulars were of such inferior quality that they failed to afford the necessary stiffening to the volunteers. But in the third year the improvement in the American soldier was manifest. Also, the incompetent leaders who had at the beginning of the war been placed in command had by that time been eliminated. This improvement in their opponents took the British commanders by surprise, notably Riall at Chippawa, and Drummond at Fort Erie; and as the author points out, 'the British forces were less successful in the last months of the war,' although their own army was stronger than before. An additional explanation may be suggested. In the beginning of the war the British made considerable use of Indian auxiliaries, who had a very demoralising effect upon the Americans. These Indians were chiefly recruited from the western side of Niagara, and after that part of Canada fell into the hands of the Americans the Indian contingents dwindled, especially as their great chieftain Tecumseh fell in battle. That the Canadian volunteer, when left to shift for himself, was at least a match for the American under like conditions may be inferred by contrasting the victory of the French Canadians at Chateaugay with the rout of the American militia at Bladensburg.

W. B. WOOD.

Etudes sur l'Année 1813: La Défection de la Prusse. By the Vicomte JEAN D'USSEL. (Paris: Plon. 1907.)

THE defection of Prussia from the ranks of Napoleon's supporters seems so natural and obvious a consequence of the failure of his invasion of Russia, that it is a little hard to realise that in December 1812 it was by no means the foregone conclusion one is accustomed to think it. But, as the vicomte d'Ussel shows in the volume now under review, the government of Frederick William III only broke with the French alliance and threw in its lot with Napoleon's enemies after much hesitation and deliberation. The question of Poland nearly proved a stumbling-stock to the conclusion of an alliance between Russia and Prussia, and all the way through the hands of the king and his ministers were continually being forced by the independent action of the military commanders. Yorck, by concluding the Convention of Tauroggen, may be said

to have made Prussia's defection inevitable, but Frederick William's repudiation of his general's action was anything but insincere, and it is well to remember that Yorck was actually summoned before a court-martial (p. 400). The vicomte shows that the version which represents Yorck's action as justified by the military situation is quite untenable. Had he wished to do so, Yorck could easily have brushed aside the weak force of Russians which separated him from Macdonald (pp. 115-118). It is clear that Yorck had gauged the real state of popular feeling in Prussia far more accurately than the king and Hardenberg had. Unable to break with the double policy which Prussia had pursued ever since 1795, Hardenberg seems (p. 36), as late as December 1812, to have quite contemplated adhering to the alliance with Napoleon if by that means Prussia could regain a strong position in Europe. But, even if the dynasty did in the end identify itself with the anti-Napoleonic movement, it was the nation which gave the government the lead. No doubt, from the moment the court moved from Berlin to Breslau the chances were that Prussia would side with Russia rather than with Napoleon, but the vicomte is of opinion that the concessions Napoleon offered in March (pp. 888-890) would have sufficed to keep Prussia neutral if offered a month earlier. In deciding against Napoleon, Prussia was undoubtedly much influenced by the friendliness shown by Austria. Hardenberg had been in communication with Metternich as early as September 1812, but the latter, though well disposed to the restoration of Prussia to her old position, was determined to do nothing in a hurry. Hence the deliberate absence of the Austrian representative who was expected at Kalisch. Metternich's policy was to wait on events, not to commit himself prematurely; to reserve Austria's decision until events had so far developed that her intervention would be decisive.

In the Kalisch negotiations, of which a very full account is given, the most important issue was the difference between the Prussian proposal, that Prussia should be restored to the footing of 1806, and the Russian proposal to give Prussia an equivalent, in other words, to take most of Prussia's share of Poland. It was Knesebeck's refusal to accept Russia's terms (p. 846) which led to the treaty being really concluded by Frederick William and Hardenberg at Breslau. Hardenberg's reason for concluding a treaty which really made no definite arrangements was that this left him with a comparatively free hand, whereas to have accepted a minimum might have enabled the Russians to pin him down to that and no more.

There is nothing in the vicomte d'Ussel's book which can be said to be remarkably new: his account is merely fuller and more precise than, for example, that in the ninth volume of the *Cambridge Modern History*, but the book is a very thorough and competent piece of work, based throughout on the original documents, which it quotes copiously, and giving a clear account of a very complicated affair.

C. T. ATKINSON.

Short Notices

WE have received the first volume (the last in order of publication) of the *Atti del Congresso Internazionale di Scienze Storiche* (Roma : Tipografia della Accademia dei Lincei. 1907). It contains the minutes of the general meetings and some useful indices to the papers, read or presented to the special sections, which are contained in the remaining eleven volumes of the series. The most interesting feature of the volume is a copy (on a fairly large scale) of the third-century *Forma Urbis Romae Regionum* as reconstructed by Professor Lanciani. This is followed by photographs of the fragments which represent the Ludus Magnus, the Theatrum Balbi, the Balineum Suræ, and the Macellum. These last, Professor Lanciani assures us, are more correct than the reproductions in Jordan's edition. An appendix contains three articles of a bibliographical character. Professor Herbert Putnam describes the archives of the United States ; a veteran editor and archivist, Dr. Emil Hildebrand, gives an account of the printed materials for Swedish history ; while Dr. Karlsson provides a list, longer than might have been expected, of Swedish works on Italian history. H. W. C. D.

The first volume of the series of *Inventaires sommaires des Archives des Anciens Gouvernements des Pays-Bas* (Brussels : Guyot, 1906) contains a number of lists, printed separately, and merely united within one cover for the convenience of arrangement on bookshelves. This *congeries* however is not without a plan ; it begins with the archives of the various secretariates of state in the Low Countries and at Vienna, proceeds to those of the several councils and of certain committees or boards, and concludes with the political and military documents relating to the revolution in Brabant in 1790. Each list has its own introduction, and this is the principal defect of the volume, since no general prospect is afforded of the division of the affairs of state into their several departments: the time has probably not yet arrived for replacing Gachard's report. The administration of the Low Countries as represented to us in this series of introductions is somewhat complicated, since the nature and functions of the councils change with the changes of government. The council, already differentiated into a privy council and a board of finance, is reconstituted in 1581 as three collateral councils—council of state, privy council, and council of finance. These are suppressed in 1702, and, after a period of constant change, reconstituted with a redistribution of functions in 1725, at which date the council of state becomes atrophied. Thus any subject of investigation must be pursued

from one branch of the council to another, and therefore from one collection of papers to another, according to the period selected. The papers of the secretariates, in themselves more important, are less confusing, since the audientary was secretary of the privy council, and ultimately absorbed the title and functions of the secretary of the council of state. Here also however the political centre of gravity shifts, about the end of the sixteenth century, from the audientary's records to those of the secretary of state and war, who was the private and military secretary of the governor under the Spanish administration, while under the Austrian he was the political secretary of state for home and foreign affairs. It will, accordingly, be seen that most of the papers likely to be of special political interest to an English student will be found in the lists here printed. Many of them are, doubtless, already known, both from the publications of the Belgian government and from the so-called *Spanish State Paper Calendar*, issued by the deputy keeper of the public records. Still there must be much left to be examined; otherwise it can hardly be imagined that Patrick Mac Neny, an Irishman by birth and secretary of state and war in the Austrian Netherlands from 1724 to 1745, could have escaped the meshes of the *Dictionary of National Biography*.
C. J.

The *Repertorium der Verhandelingen en Bijdragen betreffende de Geschiedenis des Vaderlands, in Tijdschriften en Mengelwerken tot op 1900 verschenen*, by Mr. Louis D. Petit (Leyden: Brill, 1907), which has been issued in five instalments during the past two years, is a well-arranged and, so far as we have tested it, extremely accurate guide to the scattered literature with which it is concerned. Instead of merely revising and continuing the old *Repertorium* issued in 1868, with supplements down to 1898, by the Maatschappij der Nederlandsche Letterkunde at Leyden, the compiler has recast his whole material. After an introductory section, he gives first a chronological list (classified for the mediæval period under counties, &c.) of writings concerned with Dutch history in general; secondly, a systematic list arranged under subjects (manners and customs, industry and agriculture, &c.); thirdly, a section dealing with physical geography and allied subjects; fourthly, a catalogue of publications relative to different localities classified under provinces and towns; and, fifthly, an alphabetical list of contributions to family history, including heraldry. The book is exceedingly practical, and will be found of great service as a work of reference.
Y.

Messrs. J. M. Mitchell and M. O. B. Caspari have undertaken a very necessary piece of work in producing a revised edition of Grote's *History of Greece (from the Time of Solon to 408 B.C.)* (London: Routledge, 1907). They have certainly spared no pains in performing their task; their introductions and appendices, useful as they are, are but the smallest part of the labour spent; almost every page contains notes, often elaborate notes, added by the editors. Their knowledge is well up to date, and as a rule they show good judgment in selecting points to add or to correct. At the same time, it must be confessed, the general result is not quite satisfactory. It certainly was not

worth while to reprint the whole of Grote ; e.g. part i. of his work clearly had to go, and also his chapters on oriental history : but it is a far more truncated book the editors give us, one practically confined to the sixth and fifth centuries, and marked by great omissions even as to the first of these. Again, it was no doubt impossible to reprint Grote's notes in full, but we should have welcomed more of them, even at the cost of losing some of the editors' comments. They taught many generations of scholars a critical use of texts, and still have their value in that way. Above all we must complain of the tampering with the text of Grote. This surely ought to have been reproduced in full ; but omissions and alterations are made in it without warning ; e.g. on p. 321 nearly a page attributing the νομοφύλακες to the time of Pericles is omitted, while Grote's view as to the νομοθέται becomes 'possible' instead of 'probable.' Still worse is the case in the story of the Persian wars, e.g. p. 199, where the text is shorn without any warning of the story of the first Greek retreat from Artemisium and of the corruption of Themistocles. Herodotus's stories may be false, but at any rate Grote accepted them without question, and it is misleading to make him omit them. However it is better to read even a truncated Grote than not to read him at all, and the book deserves and ought to meet with success. J. W.

In *The Roman Forts on the Bar Hill, Dumbartonshire*, by Dr. George Macdonald and Mr. Alexander Park, with a note on the architectural details, by Mr. Thomas Ross (Glasgow: Maclehose, 1906), we have a business-like account of the excavations undertaken in 1902-5 at one of the most important stations on the vallum of Antoninus Pius. The entire cost of these excavations was defrayed by Mr. Alexander Whitelaw of Garshore, to whose liberality Scottish archaeologists already owed much. Mr. Whitelaw's public spirit deserves the fullest recognition. Such generosity has made it possible in recent years for antiquaries north of the Border to take many steps towards forming a coherent account of the Roman occupation of Scotland. The chief interest of the excavations lies in the fact that they revealed the existence, beneath the fort contemporary with the vallum, of an earlier structure, whose outermost ditch was turned into the inner fosse of the later *castellum*. It was no doubt in order to utilise the site already occupied that the Roman builders departed from the practice elsewhere observed of applying the fort to the southern side of the vallum ; for the Bar Hill fort lies some twenty-five yards to the south of the rampart. Between the two intervenes the 'military way.' Now the earlier fort, represented by its fosse only, was evidently occupied for a period not exceeding half a century, and it follows with practical certainty that we have here one of the *praesidia* built by Agricola in A.D. 81.¹ We are thus brought into contact, as at Melrose, with the work of that commander : the choice of the site illustrates his sagacity in selecting points of defence² and at the same time the smallness of the force which he employed to hold Northern Britain ; for its extreme measurements are 191 × 160 feet. Both the earlier and the later forts are chiefly interesting as showing the ingenuity with which the system of

¹ Tac. Agric. 23.

² Ibid. 22.

fosses was adapted to the defence of weak points. Thus the fosse surrounding the Antonine fort is double except on the north side, where the vallum gives additional protection; the east and south gates are further defended by a *titulus*,³ and the former of these is considerably prolonged on account of the 'dead ground' in front of it, which might give cover to an advancing enemy. Finally, on the west side Agricola's ditch was never filled up, and the west gate could only be approached by a plank bridge. It should also be noted that the structure of the turf rampart is even more clear than that of the vallum itself (which was still a matter of argument at the time when the *Antonine Wall Report* was published); it was made of sods placed grass to grass in regular layers which break joint. Both in this particular and also in the form of the ditch, which is V-shaped with a central flat-bottomed depression, the turf wall observed near Birdoswald furnishes a close parallel, which may prove significant. Among the minor finds the most interesting are a wooden chariot wheel, doubtless of Celtic manufacture, a large and varied assortment of foot-wear, and some sham *denarii* of tin, made for devotional use. There is nothing here, as elsewhere on the vallum, to indicate that the occupation lasted beyond the time of Commodus.

H. S. J.

Count Ugo Balzani's excellent Italian translation of Mr. Bryce's *Holy Roman Empire* has appeared in a second edition (*Il Sacro Romano Impero*. Milan: Hoepli, 1907), in which the extensive alterations, as well as the supplementary chapters, contained in the English edition of 1904 are incorporated. It is sufficient here to notice this fresh testimony to the permanent position which Mr. Bryce's book has won in the literature of Europe.

Z.

In the *Bibliothèque de l'Ecole des Chartes*, lxvii. 5, 6, M. Léopold Delisle publishes a paper of considerable importance for the chronology of the documents of the reign of Henry II of England. It has been long recognised that the use of the formula *Dei gratia* in the king's title is characteristic of the later years of his reign, and M. Delisle seeks to determine more precisely the time at which the insertion began to be made. He arrives at the conclusion that the change was made at some date after May 1172 or at the beginning of 1178. That it was connected with Henry's absolution from complicity in the murder of Archbishop Thomas at Avranches on 21 May 1172 is suggested, but not pressed. It might have been added that the king's second submission at Avranches on 27 September would furnish an equally appropriate occasion for the adoption of the new formula. But the main point on which M. Delisle lays stress is this: that, by itself, the absence or presence of the phrase *Dei gratia* at once decides a document to be earlier or later than the beginning of 1178. It will be interesting to see whether this theory can be maintained in its absolute form. If it can, it will be a great assistance to the future editor of Eyton's *Court, Household, and Itinerary of Henry II.*

R. L. P.

³ Hyginus, *Castr.* 49.

Mr. W. H. St. John Hope contributes to *Archaeologia*, vol. lx. (1906), a paper of great interest on 'The Loss of King John's Baggage Train in the Wellstream in October 1216.' He marshals and examines the contemporary accounts of the disaster, and comes to the conclusion that, while the king with a mounted force went from Lynn south-west to Wisbech and then in a northerly direction into Lincolnshire, he sent his baggage train almost due west, by the same route across the Wellstream which is now followed by the Great Northern Railway line from Lynn to Long Sutton. Mr. Hope explores the physical geography of the district and shows how the land was by degrees reclaimed, the central part of the route not until 1830. In 1216 this was only passable at low tide. The contemporary evidence states that the column crossed too quickly, before the tide had receded, and this appears to be the more probable account. But as high tide is calculated to have been soon after 6 A.M. on 12 October, and as the mornings in the fenlands are apt to be misty, an authority quoted by Mr. Hope decides that the column could not very well have reached the crossing until long after noon. It is therefore argued that it was overwhelmed by the return half-tide. Mr. Hope does not commit himself to this explanation, which indeed depends on an hypothesis as to the precise time of leaving Lynn that cannot be verified. But whether the baggage train crossed too early or too late, we think that Mr. Hope has given very strong reasons for accepting the route which he advocates. If this be so, a further result of exceptional interest is obtained. For it is argued that the shallowness of the old estuary renders it unlikely that objects engulfed at the point suggested would be carried out to sea, and we are therefore encouraged to believe that the remains of the baggage train, with all its treasure and spoil, may even now be recovered. Mr. Hope however confesses that the area over which shafts would have to be sunk in search of them would necessarily be considerable.

R. L. P.

From St. Francis to Dante, by Mr. G. G. Coulton (London: Nutt. 1906), according to the sub-title consists of 'a translation of all that is of primary interest in the chronicle of the Franciscan Salimbene (1221-88),' and it will introduce many English readers for the first time to one of the most curious and probably the most personal of medieval works. For the autobiography of Salimbene has only been partially printed in a comparatively inaccessible edition, and is only now being edited in full in the *Monumenta Germaniae*. Mr. Coulton has done well not to wait for this long delayed edition, especially as Professor Holder-Egger has supplied him with the advance proofs. He possesses a thorough knowledge of Salimbene, and his numerous illustrative extracts drawn from a large number of sources generally neglected by English historians add greatly to the value of the book. We cannot but regret the form into which Mr. Coulton has cast his work. Instead of giving a translation of his selections from Salimbene, and adding illustrations and explanations in notes and appendices, he has supplied the translation with a running commentary, and it requires some patience to disentangle the one from the other. The burden of his commentary is the brutality of the thirteenth century, and his object is to show the falsity of the

rose-coloured descriptions of medieval life which have become prevalent in certain quarters. A plain translation of Salimbene would have attained this object more effectually and without the irritation which his controversial tone inevitably causes.

A. G. L.

In his *Entstehung und Ausbreitung des Klarissenordens besonders in den deutschen Minoritenprovinzen* (Leipzig: Hinrichs, 1906) Dr. Edmund Wauer deals less with the origin than with the expansion of the order of St. Clare. On the former point, except for some criticisms, he adds little to the more detailed studies of Dr. Lempp and Father Lemmens. The most valuable parts of his work are the careful enumeration and analysis of the various rules under which the different sections of the order lived, and the notes on the foundation of the convents throughout Europe. While the attempts of the popes to bring all the Clares under a uniform rule failed, they succeeded in substituting the ideal of strict cloistered life for the ideal of the life of poverty. Even the convent of St. Clara in Assisi after the death of the foundress gave only a formal allegiance to the ideal of poverty. The author's notes on the expansion of the order outside Italy will form a useful basis for further researches. One cannot blame him for not knowing much of the establishment of the Clares in England, but he might have avoided some inaccuracies; thus the charters in Dugdale show that the nuns of Waterbeach were removed to Denny; the *Bullarium Franciscanum* shows that Sir William de la Pole tried to found a house of Clares at Hull, not at York. A few additions may be made from less known sources. Perhaps the earliest mention of a house of Clares in England is contained in the Liberate Roll of 36 Hen. III; it is an order, dated 14 October 1252, to the sheriff of Northampton to supply the five 'Sorores Minores' of Northampton with five habits of russet. Nearly two years before (17 August 1250) Innocent IV addressed a letter to the prelates of England warning them against *quaedam mulierculae interius oneratae peccatis, foris tamen sanctitatis*, who, rejecting the yoke of discipline, wandered about in a damnable fashion under the name of Sisters Minor or Sisters of the Order of St. Damian; the bishops were not to allow any such sisters to build a house in their dioceses except with the approval of the provincial minister of the Friars Minor.¹ A similar bull had already been issued a few months before to the Italian prelates.² The opposition to the strict *clausura* among the Clares was very deep and widespread. In some provinces too, as in that of St. Anthony, the relations of the Minorites and the Clares seem to have remained on the friendly footing which prevailed in the first days of the order.

A. G. L.

M. Ernest Gossart's work on *La Domination Espagnole dans les Pays-Bas à la Fin du Règne de Philippe II* (Brussels: Lamertin, 1906) is the continuation of the author's previous book, *L'Etablissement du Régime Espagnol dans les Pays-Bas et l'Insurrection*. It is a clear and pleasant account of the political relations of Philip II mainly with the

¹ *Register of Archbishop Giffard* (Surtees Society), p. 98.

² *Bull. Francisc.* i. 541.

southern provinces from the death of Requesens to that of Philip II, with the addition of a few useful pages on the practical tutelage of the arch-dukes Albert and Isabella under Philip III. Military and naval incidents are kept in strict subordination to the main subject of the work. The fullest and freshest portion is that which relates to Alexander of Parma. The author has the courage to confess, and we think rightly, that if Alexander had not been distracted from his proper task by his preparations for supporting the Armada, and by his two expeditions into France, he would have probably completed the conquest of the Netherlands. As it was, the necessary time was just given for the reorganisation of the national forces. The appreciations of character, even of that of Philip II, are moderate and just. Orange is perhaps too lightly excused for his tolerance of the outrages of his partisans in the southern provinces, which led to the reaction of the catholics towards Spain; and, in spite of the necessities of French friendship, we are of opinion that his continual support of the duke of Anjou was an error, though it may be reasonably argued that this did ultimately plunge France and Spain into the war which proved the salvation of the Netherlands. The author has made much use of the last twenty-one volumes of the *Correspondance de Philippe II sur les affaires des Pays-Bas*, Gachard's analysis not extending beyond July 1577. From this are derived the interesting letters between the king and Alexander Farnese printed in the appendix.

E. A.

Under the title of *The English Factories in India, 1618-1621* (Oxford: Clarendon Press, 1906) Mr. William Foster continues the publication of the records of the East India Company, of which six volumes were published in 1896-1902. The papers calendared in the present volume number about four hundred and sixty, and comprise all those which could be found either in the archives of the India Office or in the manuscripts department of the British Museum, with the addition of a few from the East India Series at the Public Record Office. Mr. Foster has shown himself already an ideal editor, and the present volume is in every way no less admirable than have been its predecessors. It covers, to some extent, the same ground as Sir Thomas Roe's journal of his embassy, which was edited by Mr. Foster for the Hakluyt Society in 1899; but with regard to the factories in the dominions of the Great Mogul, the attempted revival of the trade to the Red Sea, and the development of the trade with Persia the volume contains valuable material. Subjects of more general interest are the failure of Dale's expedition, and the Anglo-Dutch agreement of 1619, the consequences of which will appear in a subsequent volume.

H. E. E.

The introduction to *Court Life in the Dutch Republic, 1688-1689*, by Baroness S. van Zuylen van Nyevelt (London: Dent, 1906), sums up the purpose of this book very well. 'William II, prince of Orange; his wife, Mary, daughter of Charles I of England; William III, the later king of England, and his wife, Mary, daughter of James I, seen in the light of their Dutch environment, are the central figures in this volume. The contents are mainly derived from Dutch sources.' Fruin, Blok,

and other standard modern historians are the chief authorities employed where political history is touched upon; the letters published by Groen van Prinsterer in the *Archives de la Maison d'Orange-Nassau* and other collections of contemporary correspondence supply personal details to complete the picture. The result is a somewhat rambling and disconnected narrative of the fortunes of the princes and princesses of the house of Orange, intended obviously for popular reading, but sometimes containing facts or quotations which will be of use to historians. There are excellent portraits of William II and the Princess Mary, of William III as a boy and of Queen Mary, reproduced by the leave of the queen of the Netherlands, which deserve high praise, but the book itself is of very slight historical value.

C. H. F.

Professor Emil Andler's pamphlet on *Die Beteiligung der Stadt London am Streit zwischen Karl I. und dem Langen Parlament, 1640-1644* (Ravensburg: Zittroll, 1906), is useful for those who take an interest in London history, but adds nothing to our knowledge of the period. The author has not been able to make sufficient use either of the newspapers or pamphlets of the time, which are an essential authority, nor has he adequately employed recent works on the period. For instance, the second volume of Dr. Sharpe's *London and the Kingdom* contains a number of extracts from the city records to which he should have referred if he was unable to consult the originals.

A.

An apology is owing to Mr. G. B. Hertz for the delay in noticing his volume on *The Old Colonial System* (Manchester: The University Press, 1905). That delay however gives opportunity to notice the steady improvement in the character of Mr. Hertz's historical work. *The Old Colonial System* was much superior to the previous book on *English Public Opinion after the Restoration*, and the article on the Ostend Company in the April number of the *English Historical Review* marks a further distinct step in advance. *The Old Colonial System* doubtless reflects a great amount of research in the odd corners of the ephemeral literature of the time, but Mr. Hertz seems somewhat to exaggerate the originality of his main position; and, while he is wandering in the byways of history, does not always seem to have competent knowledge of the main roads in the country to be traversed. Thus a startling statement with regard to Lord Hillsborough is made on the authority of Wraxall. The explanation of the Navigation Acts of 1660 and 1663 is inaccurate. The proviso as to the necessity of ships being English-built was in the earlier statute. The later Act provided that goods from European countries must be shipped in England before being exported to the colonies. Mr. Hertz is a little hasty in rushing at conclusions. Thus he draws an inference from the 'un-English but American expression "this fall"': whereas this use of the word is usual in old English, occurring in Dryden and elsewhere. It would be interesting to learn on what grounds Lord George Germain is credited with 'sound views on tactics.' His strategy, at least, was ruinous enough. The recall of Rodney had been issued before his great victory in April 1782. Whatever Burgoyne's faults, he was neither 'pompous' nor 'prolix.' Mr.

Hertz writes as though Montgomery and Arnold had proceeded together against Quebec. But, though there are occasional slips in the volume, and though the author in his preface seems to take himself a little too seriously, he is none the less to be congratulated on a work showing signs of so much independent reading and thought. H. E. E.

A welcome reprint of Samuel Pepys's *Memoires relating to the State of the Royal Navy of England for Ten Years, determined December 1688*, originally published in 1690 (Oxford: Clarendon Press, 1906), embodies certain manuscript corrections, made probably by Pepys himself, and contains also an excellent introduction by Dr. J. R. Tanner. Dr. Tanner's unique knowledge of the Pepysian manuscripts at Cambridge enables him to illustrate and supplement the *Memoires* from the correspondence and the papers of its author. The purpose with which Pepys wrote was to denounce the mismanagement of the navy by the incompetent commissioners appointed in 1679, and to explain and defend the work done by the special commission appointed in 1686. On both points his conclusions are confirmed by independent contemporary evidence, as the editor points out, and it is clear that James II must have the credit of restoring the efficiency of the navy. But for the work done during the reign of James the naval success of William III's reign would scarcely have been possible. The book is one which all historians of the navy should possess. C. H. F.

The volume just noticed appears in a new series of reprints called 'The Tudor and Stuart Library,' the distinctive feature of which is that the type given to the university of Oxford by Bishop Fell in 1660 is employed. Other books included in it are Sir Fulke Greville's *Life of Sir Philip Sidney, etc.*, as first published 1652, with an introduction by Mr. Nowell Smith (1907), Henry Peacham's *Compleat Gentleman*, 1684, with an introduction by Mr. G. S. Gordon (1906), and John Evelyn's *Sculptura*, edited by Mr. C. F. Bell (1906). This last volume is not wholly a reprint, for it contains the previously unpublished second part, printed from a manuscript in the possession of the Royal Society by Professor A. H. Church. B.

Dr. Francesco di Silvestri Falconieri's paper *Sulle Relazioni fra la Casa di Borbone e il Papato nel Secolo XVIII, con una Nota sugli Ordini Religiosi* (Rome: Casa Editrice Romana, 1906), seeks to prove how mistaken were the Bourbon kings of the eighteenth century in attacking the Jesuits, and, through them, the papacy, because by thus permitting the people to see constituted authority attacked, they weakened the security of their own government. The author is right in characterising their ecclesiastical policy as incoherent and oscillating, and in ascribing the responsibility for it rather to their ministers than to the kings themselves; but the general character of the pamphlet is quite superficial, and the author fails altogether to recognise those irresistible forces with which the age was pregnant, and particularly the strong anti-ecclesiastical feeling among the upper and professional classes, especially in France and Naples—those forces which impelled the rulers towards

change, so that they moved reluctantly and waveringly, yet all too certainly, towards their own undoing. Dr. Falconieri's attitude can be gathered from his description of the French parliament—'that undisciplined and disloyal parliament, which thirty years later, by its immoderate and almost criminal war against royal authority, was one of the immediate causes of the Revolution.' To him the Papacy 'was no longer in a condition to injure any one,' and the Jesuits the innocent scapegoats of the Papacy's imaginary misdeeds; but he does not mention what injuries the Jesuits were still in a condition to inflict. When Clement XIII defended the Jesuits on the ground that the Council of Trent had approved of them, Dr. Falconieri calls it a 'logical reply.' He repeats the old attacks on Clement XIV, and the Jesuits' assertion that he died *quasi pazzo*, imploring pardon and mercy for the abolition of the Order. He seems to have a special hatred for du Tillot, whom he calls *perversito* and *peggiore del Tanucci*. Nor is Dr. Falconieri altogether accurate in his facts. He asserts that Ferdinand IV of Naples signed the Family Compact, and that Giannone's History was written 'according to the wish of Tanucci.' This work is characterised as 'a feeble reproduction of French philosophy'; Giannone would have been surprised if he had lived to read French philosophy, and had been confronted with this accusation.

K. D. V.

Mr. W. H. Craig's excuse for writing the *Life of Lord Chesterfield* (London: Lane, 1907) is that he wished to give a picture of Lord Chesterfield rather as a politician than as a wit or man of letters. We have however been unable to discover that he gives any very different impression of his subject from that given in Mr. Ernst's biography, which has the advantage of being chiefly based on the original letters in the Newcastle correspondence. Moreover Mr. Craig, in writing the life of a statesman, does not sufficiently bear in mind how necessary is a clear account of the politics of the day. England's foreign entanglements during Lord Chesterfield's life, while admittedly difficult to follow, require much more elucidation than the author contributes. The reason for this defect is possibly that he is himself not well enough equipped with knowledge for the task. For example, he talks persistently of the 'emperor of Austria,' even when the ruler suggested is the Bavarian Charles VII, a misapprehension which may account for his remark that Maria Theresa's dominions were 'cleared of both French, *Austrians*, and Spaniards'; while Count Zinzendorf appears twice as Count Finzendorf. In regard to English politics he makes the somewhat unintelligible statement that Lady Yarmouth 'had no influence . . . in any matter connected with politics.' This is disproved, if by nothing else, by the fact that Pitt, always averse to dealing with such people, found himself forced at the supreme moment of his life to explain his position to her in order to make it intelligible to the king. Chesterfield no doubt, as Mr. Craig maintains, had great abilities as a statesman, and in his judgments was often right. When he had a definite piece of work to do, like the vice-royalty of Ireland or the reform of the calendar, he did it well. His fault, like that of many of his contemporaries, was that he had no enthusiasm for any cause, and had therefore no driving power in

him to overcome opposition. Newcastle, if he had no other enthusiasm, had an obstinate determination to maintain his own predominance, and thereby conquered far wiser men, such as Chesterfield, who had not even the duke's pettifogging energy. Pitt, less well balanced and often more wrong-headed, triumphed because he had a noble ambition for his country. We have too often in our history had men like Chesterfield; generally right but also generally ineffective from inability to carry on a protracted struggle. Shelburne is in some ways a parallel in the same century as Chesterfield, and there have been others later. B. W.

The Early Diary of Frances Burney, 1768-78, first published by Mrs. Raine Ellis in 1889, has been reprinted in two volumes (London: Bell, 1907), which are pleasant to read and handle. It was unnecessary however to republish the long introduction. A considerable amount of new information concerning the Burney circle has appeared since it was written, and a shorter essay brought up to date would have enhanced the value of the book. The substance of the diary itself is enlarged, not only by Miss Burney's own later corrections, but also by additions from Mrs. Ellis's pen in the form of comments, explanations, and quotations from other sources. These are but slightly distinguished from the text proper, and the result is often confusing, and destructive of that intimate relation between reader and author which it is the special charm of a diary to establish. The portrait frontispiece of Fanny by her cousin, Edward Francis Burney, is delightful. C.

Count Joseph Grabowski was a young Polish officer, who, thanks to his knowledge of languages, was employed on Napoleon's staff in 1818-14. His memoirs, originally published in Polish after his death, and recently translated into French (*Mémoires de Joseph Grabowski*. Paris: Plon, 1907), have a certain aesthetic value. They are obviously published just as they were written, and they give only the writer's personal experiences. Literary merit they have none beyond a straightforward simplicity: the author did not even take the trouble to revise what he had written, for we repeatedly find on a later page incidents and remarks which he had omitted to insert in their proper place. And historical value they have none: they were written nearly forty years after the events to which they refer, and there is nowhere a hint that they were based on memoranda made at the time. These memoirs may or may not be correct when they give a different version of some matter of detail from that usually current; but apart from these trifles Count Grabowski's testimony may be regarded as worthless. He has no knowledge of the evidence under Napoleon's own hand that he never seriously intended to restore the kingdom of Poland. He is very indignant with Thiers for misrepresenting the terms offered to Napoleon during the fateful armistice in the summer of 1818, on no better ground than that he was himself on duty, though not within hearing, when the negotiations came to an end, and that Napoleon at St. Helena gave a different version. His Polish patriotism so carries him away that he talks of the 'Polish army'

throughout 1812 and 1813, whereas in fact there were Poles in several of Napoleon's army corps, besides that commanded by Poniatowski. He even goes the length of saying that the 'Polish army' brought safely out of Russia the hundred guns with which it began the campaign, the only excuse for such an absurd statement being the fact that the small remnant of Poniatowski's corps, which was detached soon after crossing the Berezina and reached Warsaw safely, was the only fragment of the Moscow army that took any guns at all out of Russia. Nor can a much better example be found of the partial and unintelligent ideas about current events that are apt to prevail in an army in the field, than Count Grabowski's account of the battle of Dresden, and of Vandamme's disaster at Kulm, which went far towards neutralising the victory. All this is of course no imputation on the good faith of the author, but it does suggest very serious doubts whether his memoirs were worth publishing. And when the French translator gives us, as one of the only two documents concerning Joseph Grabowski in the French War Office, an application in June 1814 for the cross of St. Louis, one wonders whether the single-minded devotion to Napoleon, on which the Polish editor lays so much stress, was after all more real than that of Berthier and others, whose conduct he condemns in pretty strong language.

H. B. G.

Now that the relations between France and Italy are excellent it is becoming possible to write *sine ira et studio* of the three phases of Louis Napoleon's Roman policy—the attack upon the Roman republic of 1849, the September convention of 1864, and the last chapter, which began with Mentana and ended, after the emperor's fall, with the breach at the Porta Pia. Of these three episodes MM. Emile Bourgeois and E. Clermont have given us a painstaking diplomatic study in *Rome et Napoléon III* (Paris: Colin, 1907), based upon French official documents as well as upon the usual printed authorities. The thesis of the authors is that the prince president established the second empire by suppressing the Roman republic and ruined the second empire by refusing to allow the Italians to enter Rome. The former of these statements has been generally accepted, for the chief object of the Roman expedition of 1849 was to gain the support of the clerical party in France; the latter is not so obvious, but rests upon the hypothesis of the authors that, if the emperor had consented to sacrifice the papacy, he could have entered upon the war of 1870 with both Austria and Italy as his allies, in which case the result might have been different. Every Italian statesman realises that the neutrality of his country during the Franco-German war was a most fortunate policy; but it is easy to understand that the Austrian government should not desire full publicity to be given to its diplomatic correspondence at that crisis. Under these circumstances the number of new facts contained in the present volume is necessarily limited; but the authors have told their story with Gallic lucidity, while M. Gabriel Monod has written a concise preface.

W. M.

Our delay in noticing *The First Annexation of the Transvaal*, by Dr. W. J. Leyds (London: Unwin, 1906), has been due largely to a doubt

whether it could be suitably dealt with in this Review. The fact is that although a great parade is made by Dr. Leyds of blue books and other estimable authorities as his sources of information, it is really a political pamphlet to prove that the Boers have always been right and the English always in the wrong in South Africa. From the controversial point of view it is no doubt an interesting document, though happily it is now somewhat out of date; and for any future historian of South Africa it will, as an indication of feeling, be essential; but it is hardly history itself, and for the facts the future historian will do better to consult Dr. Leyds's authorities, which he tabulates quite fairly, than his reading of them.

B. W.

Sir Courtenay Ilbert's standard book on the *Government of India*, which was noticed by us on its first publication in 1898 (vol. xiii. p. 817), has appeared in a second and revised edition (Oxford: Clarendon Press, 1907). We have also received a second edition, revised by Mr. T. W. Holderness, of the late Mr. B. H. Baden-Powell's *Short Account of the Land Revenue and its Administration in British India* (Oxford: Clarendon Press, 1907). The original book was noticed in this Review in 1894 (vol. ix. p. 601).

D.

The fourth part of Mr. F. Elrington Ball's *History of the County Dublin* (Dublin: Thom, 1906) completes the survey of the southern half of the county, and crosses the Liffey to include the parishes of Clonsilla and Chapelizod, and the district of the Phoenix Park. It shows the same painstaking research into the history of the successive owners of landed property as characterised the preceding parts. The annals of Luttrellstown, about eight miles west of Dublin, are treated with special detail as showing a rare continuity of ownership in one family. Geoffrey Luttrell, a trusted minister of King John, was the first of the name connected with Ireland, but the lands granted to him were in Thomond, and it is not until about the year 1400 that the family can be definitely traced to Luttrellstown. From this time forward, with one brief intermission—when Luttrellstown was appropriated as a residence by Colonel John Hewson, the Parliamentary governor of Dublin—the property remained in the hands of the Luttrells. Colonel Simon Luttrell, indeed, threw in his lot with James II, and his estates were confiscated, but his brother, Colonel Henry Luttrell, eventually joined the winning side and thus regained the ancestral demesne at the cost of the undying hatred of the Jacobites. He was murdered in 1717. His son, Simon, was created earl of Carhampton; and his grandson, the second earl, after taking an active part in the suppression of the rebellion of 1798, sold Luttrellstown to Mr. Luke White, ancestor of Lord Annaly, the present owner. Another interesting manor was Lucan, granted by King John to Wirris Peche, and from the middle of the sixteenth century associated with the Sarsfield family. Like Luttrellstown, it was appropriated by a Parliamentary officer, Sir Theophilus Jones, brother of Colonel Michael Jones, the victor of Rathmines, but eventually it was restored to the famous Patrick Sarsfield, afterwards earl of Lucan. Finally it passed by marriage to the Veseys,

who in Dr. Johnson's time were well known in literary circles. Other important places were the royal manors of Esker and Crumlin, the archiepiscopal manor of Clondalkin, the Castle of Drimnagh, one of the oldest structures in the county still inhabited, and Palmerston House, memorable as having given a title to an English prime minister. Phoenix Park originated in certain lands which had been granted to the priory of Kilmainham by the Tyrrells of Castleknock, and which were retained in the king's hands at the time of the dissolution of the monasteries. The chief governors resided during the remainder of the sixteenth and the early part of the seventeenth centuries at Kilmainham Priory, then in a house called 'the Phoenix' on the north side of the river where the Magazine now stands, and not till near the close of the eighteenth century in what became the nucleus of the present Viceregal Lodge. The Park was enclosed by the duke of Ormond soon after the Restoration. Mr. Ball's work is almost entirely concerned with the local and family history of the county subsequent to the Anglo-Norman invasion; but a general sketch of the condition of the whole region in pre-Norman times, defining as far as possible the limits of Scandinavian power and indicating the distribution of the Celtic tribes, would add to the value of the work. Accepting, however, the limitations which Mr. Ball has set for himself, we should expect a more adequate description, accompanied by plans and sections, of existing remains and especially of those, whether of earth or stone, which may reasonably be ascribed to the Anglo-Norman period. His account of the castles is defective in this respect: thus on p. 116 he gives us a photograph of a curious round keep-like structure near Ballymount Castle apparently situated on the top of a mote with traces of the surrounding ditch and earthen rampart, but he gives no plan or description from which its age or purpose might be more clearly inferred. Drimnagh Castle, too, is one which merits a detailed description.

G. H. O.

The Statesman's Year-Book for 1907 (London: Macmillan) is once more edited by Dr. J. Scott Keltie, with the assistance of Mr. I. P. A. Renwick, and appears to be revised with the care and accuracy which have given it the first place among works of reference of its kind. We may suggest that for the purpose of comparing statistics it would be a good thing if all figures relating to the same commodity could be given in the same denomination. On p. 89 we find the British imports of wheat stated for their total in quarters, but for their details in hundredweights, with the explanation that 1 quarter is equal to 4.28 cwt. On p. xxxvi however the production of wheat in the various British possessions is given in bushels. In the tables for foreign countries the amounts are given sometimes in hectolitres, sometimes in metric tons.

E.

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Tartars and Chinese before the Time of Confucius

AT no period of ancient Chinese history has there been the smallest information or tradition placing to the north or to the west of the Chinese any races of people except the groups which we may roughly class together by the two comparatively modern names of Tartars and Tibetans ; nor is there any hint of the Chinese having ever migrated from the west into the valley of the Yellow River, where we first find them. On the other hand everywhere to the south and south-west of the Chinese we still find the same speakers of monosyllabic and tonic¹ languages who are found there at the dawn of history, and who have since been steadily absorbed by the Chinese. So far as the limited amount of evidence goes, therefore, the conclusion seems inevitable that the prehistoric Chinese were the northernmost of a vast congeries of tribes all speaking the same sort of language, which sort of language does not obtain in any other part of the world. Why the northern or Chinese tribes of this monosyllabic group alone invented written signs, and acquired generally an advanced material civilisation, cannot yet be explained ; but it is certain that when we first find them they are congregated in the Yellow River valley, chiefly between its southern bend and the various shifting *embouchures* of its lower course. From this limited area they gradually

¹ By 'tonic' is meant the use of fixed tones somewhat similar to musical notes in order to differentiate syllables otherwise of the same sound.

threw out colonies, imposed their superior civilisation upon their less advanced neighbours, and absorbed all the kindred tribes in every direction, the line of least resistance being that which lay towards the Yangtze River and the south. The coasts were either assimilated or subdued much later; but the Tartars and Tibetans were more persistent, and hang on the northern and western confines even now very much as they did 3000 years ago, except that they have been thrust a little further away, and that their virile qualities have been sapped by the influences of Buddhism.

We have very little exact knowledge even of the Chinese themselves earlier than the first millennium before Christ: *a fortiori* little is recorded of the Tartars, who possessed no written characters of their own wherewith to eke out their slender traditions, and were naturally treated by the Chinese less thoroughly than themselves in the scant annals of the time. Consequently we may accept the vague statement that the earliest of the semi-mythical emperors 'repulsed the nomads lying to his north' with the remark that what has gone steadily on down to our own times naturally went on much in the same way at periods earlier than we can trace events; and that is about all that is known or even pretended to be known by the Chinese annalists, except, perhaps, that there are later but equally vague traditions of Chinese vassal princes having from time to time sought refuge from imperial tyranny among the Jung-tih, or Tartar tribes, lying to the west of the southern Yellow River bend. It is plain that, not only then, but far later in truly historical times, the northern halves of what we now call the provinces of Shen Si, Shan Si, and Chih Li were almost purely Tartar; in fact, the whole of the north bank of the Yellow River was periodically subject to the incursions of the nomads; whence it seems highly probable that in still earlier times the Chinese must have gradually worked their way from the south-west to the north-east, rather than from the north-west to the south-east as is generally assumed, this assumption having apparently been made in order to bring facts into harmony with the western tradition of the dispersion of nations.

There is nothing definite to be found in Chinese history or tradition about the Tartar tribes previous to the well-known *Spring and Autumns*² (i.e. 'Annals'), composed by Confucius and covering the period 722 to 481 B.C.). These Annals were subsequently expanded by three separate commentators; but the expanded history of the Chinese states during those 238 years which is best known, most read, and most accurate in point of dates, is the *Tso Chwan*, or 'Annotated Edition of Tso,' who is generally held to have been

² The work of Confucius is usually called *Spring and Autumn*, but the term in the plural had already been in use in the general sense here given.

a pupil of Confucius.³ This recasts and throws into narrative form—with sketches of character, description of motives, and other embellishments—the bald and meagre statements of the master himself, who had such an obsequious veneration for the kingly and ducal crowns of the ruling castes that he shrank with horror from the task of telling the entire truth where the semi-sacred character of royalty was concerned. It must here be explained that the royal house of Chou, founded about 1200 B.C., had itself had many local brushes with Tibeto-Tartar tribes before the period when, at the invitation of the long-suffering Chinese people, and as a mere vassal power, it drove out the reigning dynasty, or suzerain power, and assumed control of the empire. After this change had taken place, the king reserved for himself a comparatively small patrimony, not larger than the smallest Chinese province of to-day, and sent his relatives to govern as feudal princes, with almost full powers, the other parts of what we now call China.⁴ The whole of south China, all the coasts, and most of the south-west were topographically known, and were inhabited by 'barbarians' of kindred stock: all the unexplored north parts, and the still less known north-west and north-east regions, were swept by nomad raiders, of necessity vaguely grouped together, because fitfully seen, vaguely understood, and loosely known, but certainly corresponding in the main to Tibetans, Turko-Mongols, and Mongol-Tunguses as we now still find them; tending, of course, to mix with each other when their respective borders became conterminous. As none of these barbarian and nomad states or hordes possessed any written character, their political cohesion for that reason alone would be and was inferior to that of China; while this last, being an industrious, ingenious, agricultural, commercial, and moral state, intellectually sustained by recorded precepts and cohesive rules, had a natural tendency to spread beyond its own 'anatomical' boundaries, and to graft itself upon alien political aggregations possessing less power to exist and to develop independently.

The situation is therefore clear, though no one is in the least able to explain, or even to surmise on evidence produced, how the nomads first reached the north, how the Chinese proper first got to the centre, and how the monosyllabic and tonic races akin to the Chinese got to the south. There they are when history—i.e. record—begins; and, in spite of colonisations, absorptions, conquests, and massacres, there they are still, or at least sufficient

³ Confucius's bald notes bring us down to 481, and his pupil Tso K'iu-ming gives us the earliest and best expanded narrative and commentary, known as the *Tso Chuan*, or 'Tso's Amplification.' Confucius's disciples continued the bald notes to 479, when they record Confucius's death, and of course Tso continues his amplification. From 478 to 468 Tso gives his own narrative, without any 'classical' bald notes at all.

⁴ There were fifteen close kinsmen and forty others of the royal clan thus enfeoffed.

remnants of them to form in each case connected links with the known past. The south never at any date seriously threatened China, and its absorption is now practically complete. Nor did any external enemy ever appear on the coasts until quite modern times. On the other hand, along the line of the Great Wall, as it still stands, China has always had to fight hard for her bare existence. Confucius himself says she narrowly escaped becoming completely Tartarised, and that he was right is plain, not only from the specific facts of his time, but from the subsequent circumstance that during the past 1600 years North China has been ruled by Tartars for 800 years, and even South China also for 400 years; with this important reservation however, that the Chinese have never failed in 'pacific penetration.' Of Scythians, Huns, Turks, Tunguses, and Mongols I have stated on various occasions⁵ all that is known to the Chinese since 200 B.C., and I have ventured to express my belief that all five are merely reshuffles of the same pack, under different leaders, or under different leading tribes. The endeavour of the present paper is to show what the Tartar situation was in China shortly before the Scythians tried their hand in Asia Minor (624-596 B.C.), and to test how far any connexion between the restless movements of the far eastern and the far western nomads may suggest itself to the reader.

The following short account seems to embrace all that had been recorded of the Tartars down to the eighth century B.C. :—

They shift about from place to place, looking for pasture for their flocks and herds, which consist chiefly of horses, kine, and sheep—occasionally also of camels—of asses, mules, and various other hybrids of the horse kind, including wild horses. They move about according to the available supply of water and grass, having no cities or towns, no fixed habitation, and no cultivated property. Still, every individual has a share in the land. They have no method of writing, and understandings are arrived at by word of mouth alone. Boys begin by riding on the sheep, practise with the bow, and shoot birds or rats; having grown up a little, they shoot foxes and hares for food. All soldiers strong enough to bend the bow are made armoured cavaliers. Their practice is in quiet times to follow their herds, whilst shooting and hunting birds and beasts for a

⁵ 'The Hiung-nu and the Tunguses,' *China Review*, xix.-xxi., 1890-2; *A Thousand Years of the Tartars*, 1894; 'The Origin of the Turks,' *Academy*, December 1895; *English Historical Review*, July 1896 and January 1900; 'Progress in Turkish Discoveries,' *China Review*, xxiv.; *Asiatic Quarterly Review*, October 1899; 'Orkhon Inscriptions,' *Shanghai Asiatic Society's Journal*, 1897; 'Early Turks,' *China Review*, xxiv. xxv.; 'Lob Nor and Khotan,' *Anglo-Russian Society's Journal*, 1908; various papers on the Wuh-kih, Early Manchus, Nüchêns, Coreans, Yarkand, Kashgar, Samarkand, Cathayans, Tangut, Khokand, Nepaul, &c., in the *China Review*, *Chinese Recorder*, and *Asiatic Quarterly Review*, 1890-1902; and the following papers from the *Asiatic Quarterly Review*: 'The Ephthalite Turks,' July 1902; 'China, Avars, and Franks,' April 1902; 'Services of the Turks,' April 1904; 'Western Turks,' October 1908.

livelihood. In urgent times every man practises battle attacks, for purposes of making war—their native element. The bow and arrow is their weapon of long reach, their hand-to-hand weapons the sword and the dagger or cutlass. When success promises they advance; when there are signs of failure they retire, not being at all ashamed to flee. They reckon of nothing but their own advantage, and know naught of propriety or right. From the ruling princes downwards they all eat the flesh of their herds, and clothe themselves in the skins and hides, over which they throw felt capes. The robust ones eat the fat and choice parts; the old ones eat the remainder, for they esteem the strong and active as much as they despise the old and weak. When fathers die, the stepmothers are taken over as wives; and when brother survives brother, the latter's wives are similarly taken over. Their practice is to use the personal name without scruple or *tabu*, and they have no family names or cognomens.⁶

This interesting description of Scythian or Tartar manners is further illustrated by a passage in the *Tso Chwan* referring to events of 714 B.C., when one of the Chinese feudal states not far from the imperial domain severely repulsed an attack of the northern nomads:—

They were habitually uncircumspect and ill drawn up; showed themselves greedy for plunder, and were without any consideration for each other: in victory none would give way to another; in defeat none would assist another. Those in front thought of nothing but advancing when they saw a prospect of loot; and when their advance received a check they always made off at full speed. Those behind lent no assistance, and thus there was no continuity or persistence in their attack.

It was in view of this description given to him that the Chinese general decided to act against them without reserve, and taught them a severe lesson in that year.

But during the eighth century B.C. both the king (or emperor, as we now call him) and his feudal princes (who in view of the suzerain's weakness were now beginning to assume airs of independence and political equality) were incessantly at war with each other: in fact it was this internecine strife in China proper that first encouraged the scattered Tartar powers to combine for a general attack. Thus about 800 B.C. the king himself succeeded in repulsing an attack at a point almost in the centre of the modern province of Shan Si; and a generation later that same king's son and successor, who, in consequence of female intrigues, had provoked a relative to fly to the Tartars for assistance, was actually slain in battle by the Tartar host, who now took possession of the territory between the Rivers

* This statement is modified later on, about 200 B.C., when it was found that the royal caste possessed a clan name, and that there were other noble and privileged clan or family names, each in different degree of worthiness.

King and Wei,⁷ and from that vantage ground began to exercise a dominating influence over the 'central kingdom.' In fact a tribe that settled on the spot where this Chinese king was killed, a century later produced one of the 'fatal beauties' of Chinese history, in the shape of an ambitious Tartar lady given by her worsted relatives as a concubine to a Chinese reigning duke who had defeated the tribe. These events led to the intervention in favour of the emperor of a prince, not of the royal Chou stock, who ruled over the westernmost state of the Chinese confederation, called Ts'in, corresponding to the central and northern half of the Shen Si province, a prince chiefly occupied with Tartar populations, and whose family had down to that moment kept apart from the Chinese federal interests and political system. The successor of the slain king or emperor of China had to transfer the seat of his government from a spot very near what we now call Si-ngan Fu,⁸ on the Wei River, just below the junction of that stream with the River King, to the modern Ho-nan Fu, much further east, on the River Loh, which runs south of but almost parallel with the Yellow River. Meanwhile the ancient patrimony of the royal house of Chou in Shen Si was made over, perhaps more as a forced benevolence than a genuine thank-offering, to the half-barbarous duke of Ts'in, who had just saved the royal house from annihilation by the Tartars, as above stated, and from this time onward the balance of political power in China was as much altered as it was in the Roman empire when Constantine moved to Byzantium.

The importance of these events will be seen when it is explained, first, that Ts'in (or *Zin*, as it was probably then pronounced) seems to have given to the west the first foreign name for Thinae, or China, in its various forms, since it was impossible for any traders by land from the west to approach China except by traversing Ts'in territory, or by the still more dangerous route north through the marauding Tartar steppes; and secondly, that Ts'in was the state that 500 years afterwards conquered the whole of China, abolished the existing feudal system, and established a centralised empire much as we see it now, with viceroys and governors of provinces instead of princely satraps of vassal states.

In the year 721 B.C. the duke of Lu, the small but highly literary state in south Shan Tung, which a hundred and seventy years later was to give birth to Confucius, opened up his first relations with the Tartars and made a treaty with them which was con-

⁷ In Shen Si. The earliest poets sang of the one river 'muddying' the other and for 2000 years the pedants disputed as to which of the two really was the muddy one: 150 years ago the vigorous Manchu Emperor K'ien-lung ordered the viceroy to proceed in person from the point of junction right up to the source of each and thus settle the question once for all.

⁸ At the time of the 'Boxer' troubles in 1900 the empress dowager and the emperor made their temporary residence at this old Chinese capital.

firmed and ratified after some further misunderstandings in 710. It seems clear that at this time Tartar power was still at least fitfully predominant all along the north bank of the Yellow River, for in the year 716 envoys between the small state of Lu and the royal court were attacked by the nomads at a place corresponding to the present Wei-hwei Fu, in north-east Ho Nan. During the next fifty years there were a number of skirmishes with the Tartars, in which the feudal state of Yen, embracing the Peking plain and northern Chih Li, the powerful state of Ts'i in northern Shan Tung, and part of southern Chih Li, and a number of the minor Ho Nan states took part. The Ho Nan states, though small, were of old stock and the most civilised. It is abundantly clear from the scraps of information given about these conflicts that out of the thousand or more petty feudal duchies, marches, counties, or baronies into which China was then divided only a score or more had any recorded share in the great political events of the period, and that five or six only of that score counted as great powers; and most of the very small states were affiliated to the larger vassals as their mesne-lords, rather than to the king or emperor. Now it was that the hegemony or 'Five Tyrant' system began in China. After the royal power had fled eastward before Tartar encroachments, and had proved itself incapable either of staving off the attacks of the foreign foe, or of curbing the ambitions of the more powerful vassals, for several centuries that northern state, which from time to time proved itself the most capable of achieving the mastery, assumed the right of summoning the heads of the other states to co-operate with it. As five great states did this in succession, the Chinese historians loosely style the period 679-590 as the 'Five Tyrant' time; but it really endured a century longer, and the issue practically lay between the two states of Ts'i and Tsin nearly all the time. The position was not unlike that created and enjoyed by the Shōgūn dynasties of Japan for several centuries previous to 1868, when the Mikados were more or less protected puppets, whose duties were chiefly of a ceremonial character.

The first of the tyrants was the duke⁹ of northern Shan Tung, who, under the able direction of his prime minister, known to posterity as the Taoist¹⁰ philosopher Kwan-tsz, raised his own state in especial and

⁹ The word 'duke' has a double meaning at this time. The feudal princes of whatever rank were all currently styled 'duke' in the sense of 'ruler,' just as we use the term 'prince' not only to mark a particular rank, but also to mean 'the ruler,' even if he be only a reigning count: as a matter of fact only one small Ho Nan state, that of Sung, representing the clans of the imperial dynasty driven from the Chinese throne in 1200, bore the specific status of 'duke.'

¹⁰ Taoism existed long before the Taoist apostle Lao-tsz, just as Ju-ism (now meaning Confucianism) existed long before Confucius: it really first meant the ritual principles of the Chou dynasty.

China generally to a very high pitch of material civilisation. Confucius said of him two hundred and fifty years later (as already mentioned) that had it not been for his federal wars organised against the Tartars, China would have become Tartar herself. Meanwhile in 671 B.C. the feudal prince of Tsin,¹¹ or Shan Si, complicated the situation by marrying three Tartar wives, a step that led to many subsequent intrigues. One of these wives was the 'fatal beauty' already referred to, and she takes her personal name as known to history from the mountains among which her victorious ancestors had settled in 800 B.C.: her manœuvres in favour of her own son had the effect of driving the legitimate heir into the arms of rival Tartar tribes for safety and support. In 649 even the king's capital was invaded and partly destroyed by hostile bands of Tartars, whose aid had been invoked by a disappointed heir: however, the nominally vassal rulers of Shen Si and Shan Si came to the king's protection, and managed at last to pacify the Tartars, with whom Kwan-tsz, representing the tyrant of north Shan Tung, but acting in the immediate interests of the king, arranged a definite peace in 648. In 644 the king of China had once more to appeal to the tyrant for assistance against the overbearing Tartars, and the Chinese vassals were accordingly summoned to a grand durbar, with a view to providing a mixed garrison for the royal capital; for some unexplained reason the ruling princes of Shen Si and Shan Si now thought fit to induce a large tribe of Tartars to migrate from the north-west into China proper, and to settle in the royal territory.

After this the king of China himself married a Tartar lady as legitimate queen; but, soon tiring of her and dismissing her, he thereby brought trouble upon himself and lost his throne. Meanwhile the legitimate heir to the Shan Si throne, whose mother was also a Tartar, but who had fled to a rival Tartar tribe in order to avoid coming into collision with his father's 'fatal beauty' wife and her son, was spending his time in Tartarland in assisting his nomad friends in their private wars with each other. As a reward for his efforts he was presented with two Tartar sisters, the younger of whom he married himself and the elder of whom he gave to one of his faithful Chinese followers.¹² He remained altogether twelve years in the land of tents and horses, after which, in the hope of recovering his throne, he visited and cultivated friendly relations with the tyrant of northern Shan Tung, with the powerful semi-barbarian monarch of the Yangtsze valley, and with the reigning prince of Shen Si, each in turn. The philosopher and statesman Kwan-tsz, as well as his master the tyrant, who in his later years

¹¹ Tsin (Shan Si) must not be confused with Ts'in (Zin, or Shen Si).

¹² Mayers, and other European writers following him, make him select the elder for himself, as indeed some Chinese authors do also.

had given himself up to debauchery and proved unfit for his great trust; both died in 643, the philosopher, in fact, before their visitor actually arrived. He regained his own Shan Si throne in 686, and, availing himself of the manifold experience gained abroad, soon succeeded in establishing himself, in the stead of the tyrant of northern Shan Tung, as protector or tyrant of China.

During the next fifty years or more the Tartars took an active part in the long war for supremacy between the states of Ts'in (Shen Si) and Tsin (Shan Si). Both sides made use of the services of the nomad horsemen when it suited their purpose, and when they were able to do so. We find constant allusion made to the White Tartars and the Red Tartars, a distinction which seems to refer at first to some peculiarity in attire, but which is handed down through the history of the Hiung-nu, High Carts, Turks, and Ouigours right down to the Ongku, or 'White Tartars' of the times of Marco Polo and Kublai Khan. It is difficult to fashion a connected narrative out of these incessant Tartar raids, which however clearly made the whole line of the Yellow River unsafe, right away from its easterly bend near Si-ngan Fu to the part where it entered the sea (after a northerly course considerably to the west of its present course) near modern Tientsin, then a totally unknown marshy waste. These incessant struggles for command of the Yellow River between the settled Chinese and the shifting nomads, coupled with the prolonged hostilities between the two powerful Chinese states most penetrated by Tartar manners and marriage influences, now first gave an opportunity to the rapidly progressing mixed states of the Yangtze valley to assert themselves in the counsels of the central kingdom.

The position at this date is therefore quite simple, except that we cannot show when or by what route the Chinese originally reached the middle course of the Yellow River. Once there, they had, thanks to their written records and settled habits, for many generations past thrown out colonies or pioneers. Their own accurately dated history scarcely begins before the ninth century B.C. (the year 841), so that it is hopeless to inquire into their exact relations with surrounding tribes at dates previous to that time; but there is no good reason to doubt their general traditions, which show that they were fairly well acquainted with the general topography of the whole of central China, even though they themselves as a nation had never occupied more than a small portion of it—namely, the so-called Loess region, with its innumerable rivers running south into the River Hwai. This puts quite a different complexion upon the imaginary retrospect traditional in the minds of most Europeans. In fact, just as with the other two ancient civilisations of the Nile and the Euphrates, that of the Chinese clung to a comparatively narrow bed of riverine country, threatened

on all sides by mountain rovers; and each enfeoffed prince was practically given a branch river, with its level valley, to govern.

In the year 569 B.C. the Tartars, who had been alternately fighting amongst themselves and taking sides either together or singly with or against the rival Chinese powers of the north, made definite offers of peace to the reigning prince of Tsin (the Shan Si province), who still 'held the cow by the ear,'¹³ or took the lead in the consultations of the Chinese states. The duke was disinclined to entertain these overtures, on the ground that the Tartars 'were greedy and had no feelings of humanity.' But his minister, Wei Kiang, who on this account has left a glorious political memory behind him, prevailed upon his master to make an alliance, pointing out that, even on the basis of purely selfish interest, it would be much better for China to encourage trade and agriculture among the nomads, and thus to distract their exclusive attention from the mere possession of grazing territory, than to conquer or punish them. In the year 559 a tribe of Tartars was present through their representatives at a durbar of Chinese princes, held under the leadership, as usual, of Tsin, and it was suspected that they were disclosing state secrets to the prospective enemy. The conversation which ensued contains in it many confirmatory allusions of great historical importance. The Tsin statesman or general thus rated the Tartar:—

Your ancestor was in times past driven back by the state of Ts'in (Shen Si) as far as Kwa Chou¹⁴ [the Ginghintalas of Marco Polo]; at that time he used to huddle on rushes for clothes, and skulk about in the thickets. Our duke [himself the son of a Tartar mother] gave you land enough for your purposes, and now you go and disclose our state secrets. I therefore arrest you, and forbid you to share in to-morrow's durbar.

The Tartar chief's reply was:—

It is true that Ts'in, covetous of territory, drove us away; but the duke you mention, recognising our hereditary rights and connexions with China, appropriated to us certain lands in the south (of Shen Si and Shan Si), which we proceeded to clear of jungle and wild beasts; and ever since then we have been faithful in our allegiance to Tsin. When we were fighting along with Ts'in on your side against another Chinese power, the Ts'in ruler made peace with the enemy behind your back, in consequence of which we in alliance with you annihilated the Ts'in armies [at the decisive battle of 687 B.C.]. On the present occasion the various vassal states for some reason fail to answer your call to the durbar, and you consequently turn round and blame us for

¹³ This is still the diplomatic phrase for 'taking the lead' at a conference.

¹⁴ This place is still marked on the Chinese maps (about lat. 40°, long. 95° E.), and this is the earliest clear mention of any place so far west. It means 'melon country,' and probably refers to 'water melons,' which are still called 'west melons.' It was not until 140 B.C. that the Chinese themselves actually marched troops so far west.

it. Our food and clothing are totally different from those of the Chinese states ; the things we use for currency in trade will not pass in China ; our language is incomprehensible there. Under these circumstances what harm could we possibly do you even if we tried ? As to your threat not to admit us to the council, we do not mind in the least if we keep aloof from your councils.

Tsin thought better of it, and admitted the Tartar allies into the council of federal Chinese chieftains. This is only one incident out of many combining to show that the Tartars of that remote period, though destitute of writing, and therefore of historical and moral philosophy, had unwritten traditions quite as noble as those of China ; in one case when a hostile Chinese prince accidentally fell into their power during a battle, they even connived at his escape, out of a chivalrous desire not to injure ' the divinity that doth hedge a king.'

The recent researches of Dr. Berthold Laufer¹⁵ into matters of Chinese art have led him to the conclusion that ideas were conveyed between China and Europe through the medium of the Scythians ; and Professor E. Chavannes¹⁶ has shown at length how the Chinese derived part of their time-reckoning method from the Tartars. In my own remarks upon the Chinese Turks—their predecessors the Hiung-nu, and successors the Ouigours, as well—I have given many instances of the services of Tartars in acting as a channel of communication between Europe and Asia—e.g. the invention of paper, guns, and gunpowder ; mathematical and astrological knowledge ; the extension of the silk trade ; the introduction and the exchange of religions ; the use of tobacco, &c. In fact, for many centuries, not to say millenniums, before Chinese historical records state definite facts, the horse-riding nomads of High Asia were probably the only continuous link between east and west, the sea trade never having been so continuous as the land trade until comparatively modern times.

The decay of the imperial power, above indicated, and the rise of energetic contending states were synchronous with the advance of great intellectual activity in China. During the lifetime of Lao-tsz and Confucius—the heads of liberal and conservative thought respectively during the sixth century B.C.—the literary, philosophical, military, diplomatic, and legal activities of the Chinese states were abnormally great, and Tartar invasion was so much diminished that for nearly two centuries scarcely anything was heard of them.

E. H. PARKER.

¹⁵ *The Bird Chariot in China and Europe*, 'Boas Anniversary Volume.' New York, 1906.

¹⁶ *Le Cycle Turc des Douze Animaux*. Leyden, 1906.

*Knight-Service in Normandy in the Eleventh Century.*¹

IN the discussion concerning the early history of knight-service in England no one has yet attempted a special study of feudalism in Normandy in the period preceding and immediately following the Conquest. The materials for Norman history in the eleventh century are unfortunately far from abundant, and nothing definitive can be attempted until the charters have been brought together and critically edited; but even with the sources now at hand it is possible, by working backward from documents of the twelfth century, to extend at certain points our knowledge of early Norman institutions.

That the Norman barons before the Conquest held their lands from the duke by military service has been clearly shown by Professor Brunner² and the authors of the *History of English Law*,³

¹ A portion of the material for this article was collected under a grant from the Carnegie Institution of Washington.

² *Entstehung der Schwurgerichte*, p. 131, note 3.

³ Pollock and Maitland, 2nd ed., i. 69-72. Cf. Lagouëlle, *La Conception juridique de la Propriété foncière dans le très-ancien Droit normand* (Paris, 1902), p. 114 ff. The following instances may be added to those cited by these authors: A vassal of Richard the Good makes the following grant to St. Père de Chartres: 'tres milites concedo cum beneficiis suis qui sic vocantur, Rollo et Angoht et Unbeina, ut inde persolvant liberum servitium' (*Cartulaire*, i. 108; cf. pp. 109, 40, 146, 152). Robert the Devil confirms to St. Wandrille land purchased 'a Hugone archidiacono qui eam ex me tenebat in beneficio,' and 'terram Durandi militis quam prefato abbati cum servicio filioque ipsius dedi' (*Monasticon*, vii. 1108). He grants to Fécamp, giving their names, 'quidam homines mei scilicet milites cum omnibus sibi pertinentibus . . . etiam alios milites' (Original in the museum of the distillery at Fécamp, no. 3 bis). Robert also gave La Croix 'in beneficium cuidam militum suorum nomine Adelelmo' (Round, *Calendar*, no. 709), and granted to Mont S. Michel half of Guernsey 'quam quidam fidelis noster nomine Nigellus in beneficio tenet' (*ibid.* no. 705; Delisle, *Histoire de S. Sauveur-le-Vicomte*, pièces, no. 9). Richard de Beaufou grants to S. Amand 'unum feudum laici c. acrarum quod Anschitillus presbyter tenet' (*Monasticon*, vii. 1101; La Roque, *Histoire de la Maison d'Harcourt*, iii. suppl., 2). A council held at Rouen between 1037 and 1046 decrees 'ut episcopus clericorum ecclesie stipendia aut terras laicis beneficiare minime presumat' (Mansi, xix. 753). For the Conqueror's reign before 1066 see the *Livre Noir de Bayeux*, ed. Bourrienne, nos. 1, 5; Round, *Calendar*, no. 1109; Pommeraye, *Histoire de S. Ouen*, p. 424; the grants to Fécamp copied in the Collection Moreau at the Bibliothèque Nationale, xxii. 108 v, xxv. 249;

but it has not been established that their military service had been definitely fixed in amount or assessed against specific pieces of land. The question whether a system of knights' fees existed in Normandy before 1066 can best be approached from the side of the ecclesiastical holdings. In England Mr. Round has called attention to 'the appearance from the earliest period to which our information extends of certain quotas of knight-service, clearly arbitrary in amount, as due from those bishops and abbots who held by military service';⁴ and he has shown that these quotas were fixed shortly after the Conquest by the arbitrary act of the king. In this the Conqueror may have been instituting something new or may have simply followed previous Norman practice, and it is from many points of view interesting to compare with the English inquest of 1166 the earliest statement of the service due from the Norman tenants-in-chief, the returns collected by Henry II in 1172.⁵ ? In these the service of the ecclesiastical tenants is given as follows:—

Episcopus Abrincensis debet servicium v militum de Abrincensi, et de honore Sancti Philiberti v milites.

Episcopus de Costanciis, servicium v militum, et ad suum servicium xiii milites, [id est debet capere servicium xiii militum pro exercitu, et similiter de aliis.]

Episcopus Baiocensis, servicium xx militum, et ad suum servicium cxx milites.

Episcopus Sagiensis, servicium sex militum.

Episcopus Lexoviensis, servicium xx militum, et ad suum servicium xxx milites et terciam partem unius militis, et praeter haec habet x milites in banleuca Lexoviensi, qui remanent ad custodiendam civitatem donec retrobannus summoneatur, et tunc ibunt cum propriis expensis

the cartulary of Préaux (Archives of the Eure), nos. 429, 439; and the grant to Jumieges by Gislebertus of 'benefitium Alsvillam scilicet quam a predicto meo domino militans obtineo' (Original in the Archives of the Seine-Inférieure at Rouen).

The statements of the chroniclers are in themselves of doubtful value, but taken in connexion with the passages in the charters they offer supplementary evidence of some interest. Thus Ordericus (ii. 397) says that Fulc, dean of Evreux, 'ex paterna hereditate feudum militis possedit,' and mentions the grant to St. Evroul by another Fulc of 'archidiaconatum quoque quem in feudo ab antecessoribus suis de archiepiscopo Rotomagensi tenebat' (ii. 132). In 1056 or 1057 a judgment was rendered 'in curia S. Ebrulfi' depriving one of the abbey's knights of 'omnem feudum quem ipse de S. Ebrulfo tenebat' (ii. 60)—a passage of considerable importance with reference to the existence of feudal jurisdictions in Normandy before 1066. The dealings of St. Evroul with Baudri de Bocquencé (ii. 74-5) are also interesting in relation to feudal justice and service, fealty, and castle guard. Feudal relations are also mentioned in the account of the early bishops of Coutances (*Gallia Christiana*, xi. instr. 218) and in the *Vita altera Herluini* (Mabillon, *Acta SS. Ordinis S. Benedicti*, vi. 2, 356).

⁴ *Feudal England*, p. 298.

⁵ *Historiens de France*, xxiii. 693-9; *Red Book of the Exchequer*, 624-45. Those who made no returns are mentioned at the end; the list includes the archbishop of Rouen and the bishop of Evreux, but no abbot.

episcopi. Idem habet ii milites de dono regis Henrici filii Matildis, scilicet in Mesnilio Odonis et in Corbospina.

Abbas Fiscannensis, servicium x militum, et ad suum servicium xiii milites et tres partes unius militis.

Abbas Bernaii, ad suum servicium ii milites.

Abbas Gemeticensis, servicium iii militum, et praeter hoc ad suum servicium i militem in Esmalevilla, quem comes Hugo le Bigot ei difforciat.

Abbas Montis Rothomagi, servicium vi militum et tres partes unius militis.

Abbas de Monte Sancti Michaelis, servicium vi militum in Abrincensi et Costanciensi et i militem in Baiocassino, quem faciunt vavassores nisi fuerint in exercitum.

Abbas Cadomensis, servicium i militis, de feodo de Taillebois.

Abbas Sancti Ebrulfi, servicium ii militum, et praeter hoc feodum Rogeri Gulafre, quod Guillelmus Paganelli habet de rege in vadio, unde difforciat servicium abbatis.

Abbas Sancti Wandregisili, servicium iii^m militum.

Abbas Sancti Audoeni de Rothomago, servicium vi militum, et ad suum servicium quatuordecim milites.

Abbas de Bernaio habet de feodo suo ii milites.

Abbas Sancti Dionysii, servicium i militis, de feodo Bernevallis.

Abbatissa de Mosterviller, servicium iii militum, et ad suum servicium v milites et terciam partem unius militis.

The *servitia debita* of this list are smaller than those of the English bishops and abbots, and, perhaps for this reason, the group of five knights is not quite so much in evidence, but the most striking thing is the small number of monastic foundations which owe military service to the duke. If we deduct St. Denis, which is not Norman, and St. Étienne at Caen, which is evidently assessed not as a barony but for a fief which has come into its possession,⁶ there remain only nine monastic baronies in a land where religious houses were numerous and closely subjected to the duke's control.⁷ Upon what principle had these nine been selected? Not, as we might expect, because they were the monasteries which had been founded by the dukes, for La Trinité-du-Mont and St. Evroul were established by the duke's vassals, and such important ducal foundations as Cérisy, Caen, and Montebourg are not included. The explanation must be sought in some other direction, and the most natural one is that of age. None of the nine was established after 1050; except St. Evroul, all are older than the Conqueror's accession. Jumièges, Fécamp, Mont St. Michel, St. Ouen, and St. Wandrille were restored under the early dukes; Bernai goes back to the

⁶ Cf. the fief held by St. Evroul in addition to its normal assessment. The fief of Taillebois does not appear in the early charters enumerating the possessions of St. Étienne.

⁷ Cf. Böhmer, *Kirche und Staat in England und in der Normandie*, pp. 81-2.

reign of Richard II, La Trinité and Montivilliers to that of Robert, while St. Denis had held Berneval since 968.⁸ It is true that these are not the only monasteries which claimed to be earlier than Duke William, but it is not clear that any of the other abbeys which were independent in 1172 was sufficiently organised and endowed at the time of William's accession to be assigned definite military obligations. St. Taurin of Evreux, which is undoubtedly older, was subjected to Fécamp by Robert the Devil in exchange for the independence of Montivilliers; Cérisy, though begun in 1082, owed its completion to William; if St. Amand goes back to 1080, which is disputed, its church was not dedicated till 1078; Préaux is barely earlier than Robert's departure for Jerusalem; Herluin may have founded his monastic community in 1084, but he did not establish it at Bec until some years later.⁹ The list of 1172 is essentially a list of the oldest monasteries of the duchy. If this be the case, it is altogether likely that the erection of these into baronies owing definite quotas of military service took place in this same early period—if not while they were the only monastic establishments, at least while they were still the most important ones. Moreover, since the early years of William's reign were hardly a favourable time for so marked a manifestation of ducal authority, this step may well have been taken before the death of Robert the Devil, whether entirely in his reign or partly in that of his predecessors we have no means of knowing. Then, for some reason which likewise escapes us,¹⁰ St. Evroul was added after its foundation in 1050, thus completing the list as we have it in 1172.¹¹

This conclusion with respect to the early existence of the monastic baronies in Normandy may be reached by a different route by examining the account of the creation of the barony of St. Evroul which has fortunately been preserved in the long confirmation of that abbey's privileges and possessions granted by Henry I in 1128.¹²

Concedo etiam eis et confirmo totam villam de Cueleio cum ecclesia et omnibus pertinentiis eius de donis sepe dictorum Roberti et Hugonis

⁸ It claimed to have received it from Rollo (*Hist. de Fr.* ix. 781; cf. Dudo of St. Quentin, ed. Lair, p. 171).

⁹ In the absence of a critical study of the early monastic history of Normandy the dates of these foundations are often uncertain. The chief authorities are the documents in the *Gallia Christiana* and *Neustria Pia*; William of Jumièges, vii. c. 22 (ed. Duchesne, p. 278); Ordericus, ii. 9 ff., with Le Prévost's notes; and Robert of Torigni, ed. Delisle, ii. 184 ff. Cf. Sackur, *Die Cluniacenser*, ii. 41-54.

¹⁰ Probably because the lands granted to the abbey already rendered knight service to the duke. Cf. p. 640, note 16 below.

¹¹ The returns of 1172 do not cover arrière vassals. The Norman monasteries which appear as arrière tenants in the registers of the French kings in the early thirteenth century are likewise early foundations. Thus Lire dates from 1046, Troarn from c. 1050, and Cormeilles from c. 1060. See *Hist. de Fr.* xxiii. 617, 705, 714, 715.

¹² *Gallia Christiana*, xi. instr. 204-10.

de Grentemaisnil, que est feodum unius lorice, et aliud feodum lorice de dono Willelmi Geroiani quod est inter Tolchetam et villam que Villaris dicitur et appellatur Bauchencaum, de feodo de Mosterol, de quibus predictus Willelmus pater meus, cum assensu et voluntate Theoderici abbatis eiusdem loci primi post tempora sancti Ebrulfi et predictorum Roberti et Hugonis de Grentemaisnil et dicti Willelmi Geroiani avunculi eorum predictæ abbatiæ fundatorum, baroniam unam constituit ad servitium suum et heredum suorum faciendum in exercitibus et aliis negotiis suis per totam Normanniam, ita tamen quod Ric. de Cueleio et Baldricus filius Nicholai milites, quibus memoratus abbas Theodericus illa duo feoda loricarum in hereditatem de se tenenda donavit cum assensu dicti W. patris mei, servitium illud facere tenebuntur quisque pro feodo suo cum equis et armis et cum expensis suis, et heredes eorum, quando abbas S. Ebrulfi a me submonitus fuerit et ipsi ab abbate, et habebunt rationabiles tallias pro exercitibus et aliis negotiis meis in Normannia concessas. Si vero de servitio illo defecerint et abbas submonitionem suam adversus eos probare poterit, in eorum corpora et catalla a me et successoribus meis capietur emenda et abbas relevamenta et placita habebit et alia iura que habent barones Normannie in feodis loricarum suarum. . . . Item de donis Ernaudi Geroiani totam terram que est inter Tolchetam et Carentonam, que est de feodo Escalfoii, quam dedit Theodericus abbas Baldrico filio Nicholai tenendam de se per servitium unum vavassoris, quotiens habere voluerit, cum nemore Baldrici. . . .

As Theodoric was abbot from 1050 to 1057 and William Giroie departed for Italy in 1056,¹³ it thus appears that St. Evroul was erected into a barony by the duke shortly after its revival and re-endowment in 1050, and in any case not later than 1056. The abbot's military service was fixed at two knights and assessed against two of its holdings, Cullei and Bocquencé, which were with the duke's consent granted as knights' fees to Richard de Cullei and Baudri son of Nicholas respectively, Baudri also receiving a piece of land between Touquette and the Charentonne in return for a vavassor's service. These statements are in general accord with what we know from other sources. Two knights are the quota of St. Evroul in the inquest of 1172 and the later Norman returns,¹⁴ and they are charged against the fiefs of Cullei and Bocquencé in the registers of Philip Augustus.¹⁵ Now Cullei and 'Bocquencé as the duke's archer Baudri had held it,'¹⁶ as well

¹³ Ordericus, ii. 56-63.

¹⁴ *Hist. de Fr.* xxiii. 694, 710; *ante*, p. 638.

¹⁵ *Hist. de Fr.* xxiii. 637.

¹⁶ If Baudri the archer had held Bocquencé as a knight's fee of the duke, we can easily see why the duke should insist upon the continuance of the military service when the fief passed into the abbot's control—a possible explanation of the singling out of St. Evroul as the only monastery among the later foundations which was held to render military service to the duke. There is a discrepancy with respect to the various Baudris. The Baudri de Bocquencé of whom Ordericus speaks was the son of Baudri the German, not of Nicholas, and Le Prévost identifies the grantee of the abbey's fief with Baudri de Guitry, whose father's name was Nicholas. Ordericus, ii. 75-6; iii. 38, 199, 248 note.

as the land between Touquette and the Charentonne, appear as possessions of the abbey in Duke William's charters of 1050,¹⁷ where, however, Bocquencé is said to have been bought from Ernaud Giroie. The successor of Theodoric, elected in 1059, soon had trouble with Baudri de Bocquencé, but after this had been settled Ordericus declares *tam ipse quam Rodbertus filius eius usque in hodiernum diem pro terra de Balgenzaio solummodo monachis militavit*.¹⁸ Toward the end of the eleventh century the son Robert appears as lord of the honour,¹⁹ and a charter of the early years of Henry II records the settlement, in favour of the monks, of a dispute between them and their knight Roger de Bocquencé concerning the services due for a knight's fee at Bocquencé and *quadam vavassoria terre que est inter Tolquetam et Carentonam*.²⁰ Cullei appears as a knight's fee in a charter of Henry I, where it is granted to Nigel d'Aubigny.²¹

There are, it is true, some difficulties with regard to Henry I's charter of 1128. Although it was printed by the editors of the *Gallia Christiana* 'ex authentico,' the original has disappeared in the wreck of the abbey's archives; it was not copied into any of the extant cartularies, nor is it mentioned by Ordericus. The form of dating is exceptional, and the other final clauses are an obvious imitation of a papal bull. Moreover, it awakens suspicion to find that all of the witnesses appear in earlier charters for St. Evroul,²² and that one of them, William Bigot, went down in the White Ship in 1120.²³ On the whole, however, there does not seem to be sufficient reason for considering the charter a forgery, though it is quite probable that it has undergone something of the retouching of which there are indications in certain charters of Henry II for St. Evroul.²⁴ If we assume that the list of witnesses has been correctly printed, still the name of William de Sai which precedes might easily have caused the scribe to substitute William Bigot for his brother Hugh, who is well known in the charters of the later years of Henry I—a kind of blunder which may be seen in a charter of Henry I for St. Étienne, issued two or three years later.²⁵ Imitations of papal forms are not unparalleled

¹⁷ Printed in Ordericus, v. 173–80. Cf. ii. 33, 35.

¹⁸ *Ibid.* ii. 75.

¹⁹ *Ibid.* v. 184.

²⁰ Archives of the Orne, H. 564; Cartulary of St. Evroul (Bibliothèque Nationale, MS. Lat. 11055), no. 21; Round, *Calendar*, nos. 638, 639.

²¹ Ordericus, v. 200; Round, *Calendar*, no. 627.

²² Ordericus, v. 199, 204.

²³ *Ibid.* iv. 418.

²⁴ See Round, *Calendar*, p. 224, note, and Delisle's forthcoming study of the charters of Henry II for his continental dominions.

²⁵ Archives of the Calvados, fonds St. Étienne, no. 13 (5 bis); the witnesses are printed in Delisle, *Histoire de S. Sauveur-le-Vicomte*, pièces, no. 47. Here John, bishop of Séez, appears as Robert between Robert de Sigillo and Robert, earl of Gloucester.

in Norman documents of this period,²⁶ and the issue of the charter in a provincial council is a sufficient explanation of the unusual style of dating. We know from Ordericus that the abbot of St. Evroul was present at the council in which the charter was granted, and as his monastery was one of the largest holders of the parish churches and tithes which this council prohibited monasteries from receiving at the hands of laymen,²⁷ it would be natural for the abbot to secure at once from the king a detailed enumeration and confirmation of the abbey's possessions, clothed with all the formalities which the council could give. Even if the initial and final clauses be rejected as spurious, the body of the charter, compared with earlier charters for the same house,²⁸ gives no occasion for suspicion. Such comparison shows moreover that even if the charter be declared a fabrication, it contains elements of unquestionable genuineness, while for the passage printed above concerning the knights' fees there is an internal evidence that it was reproduced from an older document. The preservation of the names of the original tenants of Cullei and Bocquencé with their obligations expressed in the future tense, as if Duke William were still speaking, constitutes an anachronism which could hardly arise if Henry were making his own statement of the abbey's service, or if a forger were making the statement for him, but would be natural enough if he, or a later compiler, were incorporating into his charter the Conqueror's own formulation of the terms on which these knights' fees were to be held.

If the confirmation of Henry I has thus preserved for us the original terms of the grant of Cullei and Bocquencé, certain of its phrases acquire special significance. The exact regulation of such matters as summons and individual liability (*quisque pro feodo suo*), the proviso that the service is to be at the vassal's cost, and the reference to the rights of his other barons in their knights' fees, all imply that Duke William is dealing with no new or exceptional arrangements but with an institution which has been adjusted and defined as the result of considerable experience of the points which needed guarding. Even if it be held that these provisions represent only the language of Henry I's day, there is no reason to suppose that the erection of St. Evroul into a barony was anything unique or in advance of the duke's policy elsewhere. Indeed, the fact that the abbey had just been restored and re-endowed makes it probable that William was here extending to St. Evroul a system which was already in force in other ecclesiastical baronies.

²⁶ For illustrations from 1131 see the letter of Geoffrey, dean of Rouen, in Martène and Durand, *Thesaurus Anecdotorum*, i. 380; and a charter of John, bishop of Séz, in *Gallia Christiana*, xi. instr. 160. The presence of the papal legate at the council of 1128 may have had some influence on the form of Henry's charter.

²⁷ Ordericus, iv. 496-7.

²⁸ *Ibid.* v. 173-207; *Monasticon*, vii. 1079.

That the military obligations of the Norman bishops, all of whom are expected to make return in 1172, had been fixed quite as early as those of the abbots is of course altogether likely, but the evidence is not quite so clear as in the case of the monasteries. However, the earliest detailed account which has been preserved of the tenants and obligations of a great Norman fief, the Bayeux inquest of 1138,²⁹ relates to the lands of a bishop, and the conditions of tenure therein set forth are those which prevailed in the latter part of the eleventh century. The returns, it is true, simply state that the inquest was held immediately after the death of Richard Fitz-Samson, who died in Easter week, 1138,³⁰ to determine what services were owing to the duke and the bishop from the bishop's knights and vavassors; but it is clear that this was part of a comprehensive inquest which covered the whole extent of the bishop's rights and possessions, and sought to determine how they had been held in Bishop Odo's time (1050-1097).³¹ The matter is thus stated in an early charter of Henry II:

Quoniam ecclesia Baiocensis post mortem Odonis episcopi per subsequentium episcoporum impotentiam cum per eorumdem negligentiam et per venditiones et donationes et commutationes ab ipsis factas fere ad nichilum redacta erat, ne funditus ecclesia predicta destrueretur provide Henricus rex, avus meus, instituit ut iuramento antiquorum hominum qui rem norant recognoscerentur tenedure iam dicte ecclesie sicut fuerant in tempore predicti Odonis, tam in dominicis quam in feodis militum vavassorum et rusticorum. Ipsius equidem tempore hec omnia iurata sunt et recognita et sepedicte ecclesie precepto eius resignata et munimine carthe sue, quocunque modo a possessione ecclesie alienata essent, redditae sunt et confirmata.³²

According to these returns, the bishop owes the duke ten knights for service to the king of France and twenty for the duke's own service in Normandy, the proportion being in the first case one knight for every ten who owe service to the bishop, and in the second case one knight for every five. Groups of five or multiples of five make up the greater part of the bishop's own military force, which according to the proportions just given should be 100 knights,

²⁹ Printed in the *Mémoires de la Société des Antiquaires de Normandie*, viii. 425-431; Béziers, *Mémoires . . . du Diocèse de Bayeux*, i. 142; and in the *Historiens de France*, xxiii. 699-702, which furnishes the best text (an important emendation in Guilhaumez, *Origine de la Noblesse*, p. 292, note 102). A summary of these returns is appended to the Norman returns of 1172, *Hist. de Fr.* xxiii. 699; *Red Book of the Exchequer*, pp. 645-7.

³⁰ Ordericus, v. 31.

³¹ Cf. Haskins, 'The Early Norman Jury,' *American Historical Review*, viii. 619 (1908).

³² *Livre Noir de Bayeux* (ed. Bourrienne), i. 20, no. 14. See also the writ and charter of Geoffrey, nos. 16, 39, and the bull of Lucius II, no. 157.

but in fact amounts to a long hundred of 120.³³ These had plainly been the obligations in the days of Bishop Odo, but there is no direct intimation that they had been so fixed in the period of his episcopate which fell before the Conquest. The history of one of the bishop's honours, however, indicates that its military obligations had been fixed even before Odo's day, and it is safe to assume that the amount of the bishop's service to the duke had been determined at least as early as the amount due to the bishop from his vassals. The honour in question had formerly belonged to Grimald, one of the conspirators defeated at Val des Dunes in 1047, who died a traitor in the duke's prison at Rouen.³⁴ In 1074 William the Conqueror granted to the bishop of Bayeux in demesne Grimald's forfeited honour, which included Plessis and certain other lands,

Que omnia olim tenuit supradictus Grimoldus et de quibus eidem sancte ecclesie quam supra diximus servivit.³⁵

What disposal was made of these lands we learn from the inquest of the bishop's military tenures in 1138 :

Episcopus vero de eodem feodo fecit septem prebendas et retinuit in dominium suum manerium de Plesseyo cum foresta de Montpinchon. De reliquo vero honoris Grimoudi habet episcopus servitium octo militum cum terra de Bougeyo et de Dampvou, que fuit de predicto feodo dimidium militis, quam terram Guillelmus de Albigneo tenebat de Grimoudo in maritagio cum sorore Grimoudi. De hiis autem militibus servit episcopus regi sicut de feodis que comes Glocestrie tenet de episcopo.³⁶

William d'Aubigny, accordingly, must have held Danvou and Bougy of Grimald, who held them of the bishop, before the treason of 1047, a clear example of early subinfeudation. It is entirely possible that the assessment of half a knight's service by which his descendants held these lands³⁷ was not made until later, but the language of the inquest indicates that they had been held as half a knight's fee in Grimald's time, and the fractional amount of the service would seem to imply the existence of a knight's fee which had been divided before or at the time of the grant to William.

There is also reason for thinking that as early as Grimald's time the honour owed the service of ten knights. In the inquest of 1138, as just quoted, the bishop owes service to the duke for the

³³ It so appears in the returns of 1172, quoted above (p. 637); but the actual returns of 1138 give only 117½, and the abstract of them in the Red Book 119½.

³⁴ See Wace (ed. Andresen), ii. ll. 4219-42; and the Bayeux inquest.

³⁵ *Livre Noir de Bayeux*, no. 3; *Mémoires des Antiquaires de Normandie*, xxx. 700, from the *Livre Blanc* of St. Florent; incomplete in *Gallia Christiana*, xi. instr. 65. Cf. *Livre Noir*, no. 155.

³⁶ *Hist. de Fr.* xxiii. 700.

³⁷ *Ibid.* xxiii. 702.

enfeoffed portion of this honour in the same proportion as the earl of Gloucester for his holdings, namely, for every ten knights that the earl holds of the bishop two knights for the duke's own service and one knight for the service to the king of France. Such an arrangement evidently presupposes a group of five knights or some multiple of five, such as we find in the case of the earl of Gloucester and the other greater tenants of the bishop, and we should expect the honour of Plessis, like the earl's honour of Evrecy and several honours in the later Norman inquests,³⁸ to contain ten knights' fees. In 1183, it is true, it furnishes but eight knights, but these are charged against the portion remaining after the bishop has created seven prebends and retained the manor of Plessis and the forest of Montpinçon in demesne, so that Grimald's honour must have supported more than eight knights when it came into the bishop's hands in 1074. The number may not have been ten, but it was pretty certainly a multiple of five. Remembering that this service was the amount due to the bishop and not that due to the duke, who received only one-fifth of it, we must conclude that it was assessed when the holder of the honour 'served the church' of Bayeux, not when the honour was in the duke's hands, so that we are carried back to Grimald's time or before. If the assessment of Plessis antedates 1047, so in all probability does that of such other fiefs of the bishop as can be traced back to the beginning of William's reign, as, for instance, the honour of Evrecy and the Suhard fief.³⁹ And if the bishop's groups of five and ten knights go back to so early a time, so, it is altogether likely, does his own service of twenty knights to the duke.

If the preceding line of inference is valid, the Bayeux inquest is important, not only in lending support to the conclusions already reached with regard to the existence of ecclesiastical baronies and knights' fees before 1066, but also in confirming Mr. Round's view that 'the Normans were familiar with *servitium debitum* in terms

³⁸ *Hist. de Fr.* xxiii. 694, 695, 700.

³⁹ See Bishop Hugh's charter in the *Livre Noir*, no. 21. Delisle, *Histoire de S. Sauveur-le-Vicomte*, pièces, no. 13, dates it 'vers 1036.' Haimon's fief of Evrecy is also mentioned by Wace, ed. Andresen, ii. l. 4044. That the bishop had tenants by military service before 1050 is also apparent from the following extract from a charter of Bishop Hugh preserved in the archives of the Seine-Inférieure (fonds de Jumieges, charters of Rouvray): 'Ego Hugo Baiocassinę urbis episcopus et Rodulfi quondam comitis filius . . . notum volo fore tam presentibus quam futuris quod quidam meus miles vehementer michi carissimus nomine Rodulfus cuncta moderantis Dei motus instinctu spreto secularibus pompis monachilem habitum Gemmetico suscepit. Qui postea me adgressus petiit ut quandam terram quam in seculo positus ex meo iure hereditario tenuerat tam pro meę anime compendio quam pro innumeris sui obsequii laboribus Deo sanctoque Petro cui se devoverat contraderem. Quę terra vulgo vocitatur Rourensis prope Auturę fluvium sita. Cuius petitionibus libenter aurem accommodans cum integritate eam tam in ecclesia quam in silvis terris quoque cultis et incultis ad usus servorum Dei sancto Petro in Gemmetico solutam ac liberam a cunctis secularibus legibus tradidi possidendam.'

of the ten-knight unit when they landed in England.' ⁴⁰ Mr. Round seems indeed to consider this point well-established, but his only authority is Wace's account of the deliberations of 1066; and, after the destructive criticism to which Wace, in another connexion, has been subjected by Mr. Round, ⁴¹ it is hardly necessary to point out how little value 'a mere late compiler' has for the events and conditions of that year. The Bayeux returns are a better sort of evidence, and they not only show clearly the prevalence of the five and ten-knight unit in Bishop Odo's time, but render it probable that part, if not the whole, of this scheme of tenures is of still earlier origin. If statements of later chroniclers were to be accepted as conclusive, we should not overlook a passage in a more trustworthy writer than Wace, the report in Ordericus of the death-bed speech of William the Conqueror in which he mentions the assessment of an arbitrary service of one hundred knights upon Count Guy of Ponthieu, when vassalage was imposed upon him in 1056. ⁴²

Besides defining the amount and distribution of the regular feudal service, the Bayeux returns of 1138 include the *arrière-ban*, the equipment and service of vavassors, and the aids and reliefs due to the bishop, on all which points, as M. Guilhiermoz has shown, ⁴³ they yield remarkably early and significant information. Their importance, especially for the student of contemporary English institutions, is naturally increased when it is seen that the conditions they describe are those of the latter part of the eleventh century. As an illustration of this, let us take one of the points in the history of feudal institutions which most needs clearing up, the matter of the forty days' service. This was certainly the normal amount in Normandy in the twelfth century, and seems to have passed thence to the other continental domains of the Plantagenets; ⁴⁴ but while its prevalence in England has generally been assumed, it has recently been asserted that even 'its theoretic existence can hardly be proved for England out of any authoritative document.' ⁴⁵ Now the earliest mention of the forty days' limit so far noted is found in the Bayeux inquest, where it appears as the regular period for the service due to the king of France as well as for that owed to the duke within the confines of Normandy. ⁴⁶

⁴⁰ *Feudal England*, p. 259f.

⁴¹ *Ibid.* 399-418. Mr. Round admits that in the passage in question the figures 'are far too large, and savour of poetic license' (p. 260, note).

⁴² 'Widonem vero comitem Baiocis quandiu placuit in carcere habui et post duos annos hominum ab eo tali tenore recepi ut exinde mihi semper fidelis existeret et militare servitium ubi iussissem cum centum militibus mihi singulis annis exhiberet' (Ordericus, iii. 237).

⁴³ *Essai sur l'Origine de la Noblesse*, 185, note 34; 187, note 36; 267, note 37; 268, note 40; 275, notes 56, 57; 286, note 90; 292, note 102; 312, note 164.

⁴⁴ *Ibid.* pp. 275-6.

⁴⁵ Pollock and Maitland, *History of English Law*, 2nd ed. i. 254.

⁴⁶ *Hist. de Fr.* xxiii. 699-700.

The same period is found in upper Normandy in a St. Amand charter of the Conqueror's reign, which is also interesting as bringing out the distinction between complete equipment and 'plain arms' which appears for the first time elsewhere⁴⁷ in the Bayeux inquest:

Ego Baldricus annuente domino Willelmo anglorum rege et normanorum duce clamo quetum sanctimonialibus de sancto Amando Rothomagi servitium duorum militum quod quadraginta diebus debent per annum de feudo Bascheville donec ego vel meus heres reddamus .xxx. libras rodmesinorum quas sancto Amando et sanctimonialibus debeo pro sorore mea Elisabeth que ibi effecta est monacha. Testes sunt Gilbertus, Alannus, Radulfus fil[ius] Heluini, Robertus de Bothes, Ricardus de Boievilla. †Willelmi regis †Baldrici. Ante hoc vademonium predicti milites sic erant in servicio parati: unus horum totis armis, alter vero ad plainas armas.⁴⁸

From still another part of Normandy, between 1070 and 1081, we have another example of the forty days' limit, this time as applied to watch and ward. Here, if we may trust the natural interpretation of the possessive pronouns, we also find the principle, later well known, that the forty days' service is at the vassal's expense, but any other service is at the cost of the lord.⁴⁹ The document has not, so far as I am aware, been cited in this connexion, and it is worth printing in full, in spite of the detailed and careful analysis which Mr. Round has given in his *Calendar*.⁵⁰

Conventio inter abbatem et Guillelmum Paginellum.

Haec carta narrat conventionem Baiocis factam coram regina inter abbatem de Monte sancti Michaelis et Guillelmum Paginellum. Si Willelmus Paginellus habet guerram de illa terra quam rex Anglorum dedit sibi cum femina sua, conventio est quoniam Hugo de Bricavilla quadraginta diebus illi faciet de guarda vel custodia sese septimum de caballari-^{esse ?} bus ad suum cibum. Et nepos illius Hugonis similiter faciet si in parage terram suam tenuerit secundum hoc quod tenebit. Rursus si Guillelmus Paginellus illum Hugonem submonuerit cum duobus equitibus eum in sua familia ad suum cibum habuerit vel filium suum si liber erit de submonitione abbatis. Nec si eum donnus abbas semper habebit quin Guillelmus Paginellus hoc habeat. Et ita equidem habebit in sua familia nepotem Hugonis et Robertum de Cantelupo et Guillelmum Becheth et illum qui honorem Scollant habebit. Et si vindictam vel placitum

⁴⁷ Guilhiermoz, pp. 185-8.

⁴⁸ From a *vidimus* of Philip the Fair of 1313; Archives of the Seine-Inférieure, fonds St. Amand. The word *plainas* is badly rubbed, but only the penultimate letter is uncertain.

⁴⁹ Guilhiermoz, p. 275.

⁵⁰ No. 714, from the cartulary of Mont-St.-Michel (MS. 210 of the library of Avranches), ff. 9^r-6^v. There are also two copies of the fifteenth century in the remnant of a cartulary of St. Pair preserved in the Archives of the Manche, fonds Mont St. Michel, ff. 1^v, 5^v.

habuerit ad faciendum, homines quos tenet de Sancto Michaeli ita habebit quod in sero erunt ad suas domos. Et si homines sibi deficient de his serviciis quae hic sunt divisa, rectum sibi facient ad unam mansionum quas tenet de Sancto Michaeli. Auxilium accipiet de terra quam tenet de Sancto Michaeli pro sui corporis captione aut pro sua terra, si forisfecerit eam erga regem vel abbatem, vel pro filio huius femine de qua est hereditas si captus fuerit in servitio regis vel abbatis de quo est fedus, aut pro una sola filia maritanda quam habet de hac femina. Conventio est quoniam Guillelmus Paginellus in terra quam tenet de abbate statuet unum hominem apud quem abbas mittet pro submonitionibus quas habet facere ipse abbas in terra quam Guillelmus Paginellus tenet de illo. Qui si bene submonitiones fecerit et ille remaneat quem monuerit, abbas suam forisfacturam inde accipiet. Quod si in illo submonitore remanet submonitio, abbati decem et octo solidos emendabit et abbas postea per suum legatum submonitionem suam fecerit. Conventio est quoniam ^{Willelmus} ~~Willelmus~~ Paginellus unoquoque anno duodecim quercus ad suum ^{cois} ~~cois~~ accipiet in silva de Longa Villa usque ad aquam que dicitur Ars, nec plus habet accipere nisi per abbatem fecerit. Conventio est quoniam abbas de Monte unoquoque anno dat illi unum provendarium de cera vel viginti solidos, et est in cois abbatis dare quale horum maluerit, et hoc pro relevationibus de Cantelupo et pro pastura de Lalande si homines de Cantilupo possunt illam de raisneer in curia Guillelmi Paginelli de Lavidande quam Willelmus Paginellus interrogat in fedo. Dum venit in Monte Sancti Michaelis est in respectu donec coram rege. Conventio est de septem paribus de honore quem Willelmus Paginellus tenet de abbate de Monte Sancti Michaelis quoniam submonuerit illos in sua curia, qui si sponte sua ambulare voluerint ibunt si liberi erunt de servicio abbatis. Si vero ire noluerint hoc debet Guillelmus Paginellus de raisneer in curia abbatis per homines qui sunt de honore quem accepit cum sua uxore qui illos viderunt in suo servicio per consuetudinem antecessorum suorum. Huius cause testes existunt presul Abrincensis Michael, episcopus Sagiensis Robertus, Rogerius de Montegomerii, Richardus proconsul, Rogerius de Bellomonte, Hubertus de Ria, Unfredus de Bohon, Hubertus de Portu, Turgisus de Tracei, Alveredus Malbedenc, Gaufridus de Sai.

The document is not always so explicit as we could wish, but certain points are fairly clear. We see the Conqueror disposing of the hand of an heiress who holds an honour of the abbey of Mont St. Michel, and her husband receiving aids, reliefs, and suit of court from the men of the honour. The aids are carefully defined: the lord may have an aid for his ransom from captivity or for redeeming his forfeited land from the duke or abbot, for marrying one daughter, or for ransoming his son if captured in the service of the duke or abbot. The last is noteworthy, suggesting that the aid for knighting the eldest son may have developed comparatively late with the growing importance of the institution of knighthood. The mention of tenure *in parage* would be important, if it were more specific, with reference to the parage of Domesday and the early history of the tenure in Normandy, where it seems to be

otherwise unknown before Henry II.⁵¹ The glimpse of the courts of the honour is likewise interesting. Besides the manorial courts there is a court made up of the seven peers of the honour, an institution already old, since in case of dispute the peers' service is to be proved by the custom of their ancestors. The number seven suggests the usual number of the Frankish *scabini* from whom the peers of feudal courts seem to have been derived; probably it is these same seven who owe the military service due to William Painei.

CHARLES H. HASKINS.

⁵¹ Cf. Pollock and Maitland, ii. 264; Maitland, *Domesday Book and Beyond*, pp. 145-6; Guilhaumez, *Origins de la Noblesse*, p. 214 ff.; Round, *Victoria History of Hampshire*, i. 441.

The Coronation of Queen Elizabeth

QUEEN ELIZABETH was crowned in Westminster Abbey on 15 January 1559. The coronation was a notable event for two reasons—first because it was the last coronation that took place in England with the Latin service of Plantagenet times, and secondly because the order of the ceremony at particular points throws light on the religious opinions which Elizabeth held, or professed to hold, at the beginning of her reign. The interest of the subject is increased by the fact that contemporary evidence of what happened is both scanty and conflicting; the student who turns his attention to it must begin by dissecting the evidence and determining which of the two main accounts is the more credible. When he has arrived at a conclusion on this point he will find that the facts which he has sifted out afford some help towards the solution of the question which has vexed, and still vexes, historians—What were Elizabeth's intentions and beliefs in matters of religion when she ascended the throne?

The coronation of an English king in Tudor times was a magnificent and elaborate ceremony, consisting of a procession from the Tower to Westminster on the eve of the coronation day, a procession from Westminster Hall to the Abbey on the following morning, the coronation itself in the Abbey, and the banquet and other festivities which brought the proceedings to a close. This article is concerned with the coronation, which was the central solemnity, and more particularly with the mass which came at the end of the service in the Abbey. It is the course of events at the coronation mass that furnishes the most striking illustration of Elizabeth's attitude to the religious question at the beginning of her reign.

I. The Authorities.

The authentic contemporary documents describing the coronation of Queen Elizabeth are remarkably few. They consist of—

1. A narrative by an unknown English spectator. One copy of this narrative is in the Bodleian library (Ashmole's collection), another is at the Record Office (S.P., Dom., Eliz., Addenda, vol. ix. no. 9). The original is not forthcoming. Both the narrative in

the Bodleian and that in the Record Office purport to be copies from an original 'in Mr. Anthony Anthony's collection.' The narrative has often been reprinted.¹

2. A report by Il Schifanoja, an Italian resident in London, which is printed on pp. 16 and 17 of the *Venetian Calendar*, vol. vii.

3. A fragment of a few sentences in the College of Arms² which is bound up in a volume entitled 'W Y' with a number of manuscript reports of royal functions. The only part of the volume which relates to Elizabeth's coronation consists of the page containing this fragment and the page which immediately precedes it (p. 197), both written in the same hand. The page which precedes the fragment is headed 'The copie of ye Proclamation of Queene Elizabeth made by ye Heralds after ye death of Queen Mary truly extracted out of an ould copie therof remayning in the office of Armes. May 1626 by me Yorke.' This page contains copies of two proclamations, one announcing Elizabeth's accession and the other inviting claimants to present claims to do service at her coronation. Then follows the page containing the fragment about the coronation.

These three documents, together with two lines in a letter³ from the Spanish ambassador De Feria, are the only contemporary accounts that exist of the actual coronation. For convenience of reference they are printed at the end of this article, being broken up into paragraphs in order to indicate the various stages of the ceremony. I refer to them hereafter as the English, Italian, and herald's reports. I have added illustrative footnotes.

Besides these narratives a few documents have survived which give a certain amount of indirect information. These are—

1. A document entitled 'Articles concerning the Queen's Coronation' containing memoranda on points connected with the ceremony. The document is among the Harleian MSS. in the British Museum (no. 6064, p. 4). A copy is in the Record Office (S.P., Dom., Eliz., vol. i. no. 51). It is not dated, but from internal evidence it must have been drawn up before 18 December 1558.

2. A folio volume of 147 pages among the lord chamberlain's records at the Record Office (*Lord Chamberlain's List*, 1887, vol. 3), entitled on the cover 'The presidente of the coronacõ of our Sovereyn lady Quene Elysabethe Solemnyzed at Westminster the XVth Day of January in the ffirst yer of Hir most prosperous Reyne. Anno Dñi 1558.' On the first page is a statement that

¹ E.g. in Nichols's *Progresses of Queen Elizabeth*, i. 61.

² My acknowledgments are due to the chapter of the College of Arms for permission to copy this document; also to Mr. Lindsay, K.C., Windsor herald, for kindly helping me to trace it.

³ *Spanish Calendar*, i. 25. I quote these later on.

the book contains Sir Richard Sackville's 'accompte' of all sums received by him for the coronation, of articles bought for the same purpose, and of materials issued from the great wardrobe. Then follow the accounts in great detail, together with lists of officers of state, members of the household, and servants of the court. The book ends with a list of ladies appointed to attend on the queen. I refer to this volume hereafter as 'Coronation Accounts.'

3. Two entries in another volume among the lord chamberlain's records (vol. 792) containing various documents connected with the great wardrobe of a very miscellaneous character. The entries relating to Elizabeth's coronation are—

(a) A summary of the articles provided for her coronation (p. 253). This adds a little to the information furnished by the Coronation Accounts.

(b) Four pages giving 'the order of proceeding from the Towre to the Palace of Westminster, the even of the coronacōn of our souverayne lady quene Elizabeth' (p. 164), and 'the proceeding to the Abbey for the coronacōn' (p. 166).

II. Examination of the Authorities.

Of the three reports of the coronation which are printed at the end of this article the English report, till a few years ago, was the only source from which historians drew their narratives. Recent writers however have preferred to base their accounts on the Italian report, which was not accessible to their predecessors. Dr. Dixon's account⁵ of the ceremony is drawn entirely from this source; the late Professor Maitland, in the *Cambridge Modern History*,⁶ relies, in part, on the same authority; Mr. Frere, in his *History of the English Church*, refers⁷ to both reports, but he regards the Italian report as the more credible. The English report seems to have become discredited. Neither Maskell nor Mr. L. G. Wickham Legg, with their wealth of references⁸ to coronations of all epochs from the sixth century to the present day, has thought it

⁴ Sir Richard Sackville had charge of all the arrangements at Elizabeth's coronation (Harleian MS. 6064, no. 4).

⁵ *History of the Church of England*, v. 49, 50.

⁶ Vol. ii. p. 565. He writes, 'What happened at the coronation is obscure. The bishops, it seems, swore fealty in the accustomed manner; the epistle and gospel were read in English; it is said that the celebrant was one of the queen's chaplains, and that he did not elevate the Host; it is said that she did not communicate.'

⁷ P. 11: 'The coronation mass was said in Latin, with the epistle and gospel read in English as well as Latin; and of two contrary reports that one is more probably true which states that the elevation was omitted and the celebrant was George Carew, dean of the Chapel Royal.'

⁸ See the dissertations prefixed to Mr. Legg's *English Coronation Records*, 1901, and to vol. ii. of Maskell's *Monumenta Ritualia*, 1882.

worthy of notice. *Prima facie* it is not clear why a report which purports to be a contemporary narrative by an English spectator should be pushed aside by the report of a foreigner. I therefore propose, in the first place, to examine the English and Italian reports with a view to testing their respective credibility. In such an examination the following questions suggest themselves: Do the two narratives confirm or contradict each other, and, if they contradict each other, which of the two is the more accurate? The first question is easily answered. The reports contradict each other. The Italian report states that the mass began early in the ceremony and that the coronation took place nearly half-way through the mass; the English report that the whole ceremony of coronation came first and that the mass was celebrated after it had been finished. According to the Italian the mass was sung by the dean of the Chapel Royal, because the bishops refused to officiate; according to the Englishman the mass was sung by a bishop. The Italian states that the Host was neither consecrated nor elevated, the Englishman that Elizabeth withdrew at the consecration, thus implying that consecration and elevation took place. These contradictions cannot be reconciled. Either the English report or the Italian report is incorrect. We thus come to the question of their respective accuracy. So far as external evidence goes the Italian report, though written by a foreigner, is to be preferred. We know when and by whom it was written. It is strictly contemporary, written at the time by a man who was on the spot. Of the English report nothing is known. It is simply a narrative without date or name of author which in the seventeenth century formed part of the manuscript collections of a Mr. Anthony Anthony.

But when we appeal to internal evidence we feel inclined to pin our faith on the Englishman. His report contains a detailed account of the solemnity, which has all the appearance of an eye-witness's narrative. The Italian report, on the other hand, is a brief summary, in which a few items are singled out for description. It seems worth while to seek for some standard by which we can test the accuracy of both reports. Such a standard is provided by the *Liber Regalis*,⁹ a coronation service book which was used at coronations from 1507 to 1661.¹⁰ I propose to test the accuracy of our two narratives by comparing them with the *Liber Regalis*. The ceremony¹¹ consisted of the following parts:—

1. *The Recognition*.—The king enters Westminster Abbey and advances to a seat near the altar. He is here exhibited by the archbishop to the people, who are asked whether they accept him as king, and reply with shouts of acclamation.

⁹ *Engl. Coron. Rec.* p. 81.

¹⁰ *Ibid.* pp. xv and xix of 'Introduction.'

¹¹ See *Liber Regalis*, *passim*.

2. *The First Offering*.—The king is led to the high altar, where he makes an offering of a pall and a pound of gold.

3. *The Sermon*.—A sermon is preached by a bishop.

4. *The Oath*.—The archbishop administers the oath.

5. *The Consecration of the King*.—The king lies prostrate before the altar while prayers and psalms are said over him.

6. *The Anointing*.—The king is anointed.

7. *The Investiture with the Ornaments and Insignia*.—The archbishop blesses the ornaments and insignia one by one, and the king is invested with them in turn. They consist of the long tunic, buskins, sandals, spurs, girdle, sword, armils, mantle, crown, ring, gloves, sceptre, and rod.

8. *The Homaging*.—The king is led to his throne, which is placed on a stage at the junction of the transept and the choir, and the bishops and peers do homage.

9. *The Mass*.—The mass is celebrated.

10. *The Revesting*.—The king is taken to St. Edward's Chapel, divested of his robes and ornaments and revested with others. He then leaves the Abbey and the ceremony ends.

This summary is sufficient to show that the coronation service was long and complicated, consisting of prayers, psalms, and chants, interspersed with ritual observances of a very elaborate kind. Any report of a coronation which follows the ceremonies step by step, giving them in correct order, must either have been written by an eye-witness or from the notes of an eye-witness. Now the English report is such a report. It records the ceremonies of the coronation in a bald, almost illiterate narrative, beginning with Elizabeth's entry into the Abbey and ending with her departure from it. On comparing it with the *Liber Regalis* we find it quite accurate as regards sequence of events; it describes each distinct stage of the solemnity in the order in which the *Liber Regalis* tells us that it took place. The writer was probably a layman, since he slurs over the devotional parts of the ceremony, being obviously more interested in what was done than in what was said—in the recognition, the oath, the delivery of the regalia, and so on, than in the devotional exercises in which the ceremonial was embedded. His narrative contains mistakes and omissions, and his account of the administration of the oath is hopelessly confused, but nevertheless the general impression conveyed is that the narrative is what it purports to be, an account written down immediately after the event by a man who himself saw what he reports. This impression is confirmed by several expressions and turns of language which would hardly have occurred to anyone but a spectator. These are as follows:—

1. Among the vestments with which the king is endued after he has been anointed is the 'armill.' The 'armill' was a vestment

shaped like a stole,¹² woven of gold and set with precious stones, which was thrown over the king's neck and hung down to his elbows, to which it was fastened with silken laces above and beneath each elbow. The English report describes Elizabeth's investment with the armill as follows: 'and after that two garters upon her hands.'¹³

2. The English report mentions the following ceremonial as occurring during the celebration of the mass: 'And immediately after her Matie went to the offering. And before her Grace was borne iii naked swords, and a sword in the scabbard.' The *Liber Regalis* makes no mention of the carriage of swords at this stage, but we know from the 'Little Device,'¹⁴ or programme, for the coronation of Henry VII that the ceremonial was usual at Tudor coronations.

3. At that point of the ceremony which immediately precedes the anointing the English report contains the following passage: 'And the Bishop sang the [blank in manuscript] of the Masse in a Book which was brought in before the Queene.' In this mutilated passage the writer evidently refers to that part of the ordinary service of the mass which is technically called the *Sursum corda* and immediately precedes the canon. Hearing¹⁵ words which were familiar to him as part of the mass he described what he heard by reference to the mass.¹⁶

4. After mentioning that a sermon was preached the English report adds, 'And after the sermon done the byshop bade the bedes her grace voyd out of the chayre knelyinge and said the Lordes Prayer.' I have not found a reference to a bidding prayer in any other report of a coronation. There is no reason to doubt however that the prayer was used when Elizabeth was crowned. The bidding of the bedes,¹⁷ either with or without a sermon, was

¹² Cf. the 'Little Device' of Henry VII (*Engl. Coron. Rec.* p. 238) and Henry VIII (Cott. MS. Tib. E. viii.)

¹³ Mr. H. A. Wilson (*Journal of Theological Studies*, ii. 494) thinks that the word 'garters' is used to describe the bracelets and not the armill. It is immaterial to my argument whether the ornament was the armill, or the bracelets, but I think it more probable that it was the armill because it comes at the exact point at which the *Liber Regalis* places it, viz. immediately after the girding on of the sword.

¹⁴ *Engl. Coron. Rec.* p. 236. Cf. also the 'Device' for Henry VIII's coronation, which repeats this prescription (Cotton MS, Tib. E. viii.)

¹⁵ The words are, 'per omnia secula seculorum Amen. Dominus vobiscum. Et cum spiritu tuo. Sursum corda. Habemus ad dominum. Gracias agamus domino deo nostro. Dignum et iustum est. Vere dignum et iustum est equum et salutare nos tibi semper et ubique gracias agere domine sancte pater omnipotens eterne Deus.'

¹⁶ Cf. *Journal of Theological Studies*, ii. 497.

¹⁷ See *The Lay Folks' Mass Book* (Early English Text Society, 1879), by Canon Simmons: 'The bidding prayers (as suggested by the name) are not so much a form of prayer as a bidding of the bedes or prayers of the people, calling aloud upon them to pray, and directing them what to pray for, or, as in after times, calling upon them to use certain specified devotions, with a required intention—paternosters, and after-

an old-established practice in England, reaching back into the earliest times. The reference to them in the English report is interesting, because they were among the few prayers which were said in English before as well as after the Reformation. This fact explains why our reporter mentions them by name alone among the many prayers which he heard in the course of the coronation. They attracted his attention because they were said in English in the midst of a service in which all the other devotions were said or sung in Latin.¹⁸

For the reasons which I have stated above we may accept the English report as the production of an eye-witness. While it emerges successful from a comparison with the *Liber Regalis*, the narrative in the *Venetian Calendar* is unable to sustain the test. The writer begins with a few words about the ceremony in Westminster Hall, mentions, incorrectly, that the pax was delivered to Elizabeth there, and goes on to describe the procession to the Abbey. He gives the order of the procession wrong, and is more often wrong than right in his identification of the various noblemen who carried swords and regalia.¹⁹ When he comes to the ceremony in the Abbey he states, correctly, that it began with the recognition, and he goes on to say that the mass followed, that the coronation took place after the epistle, and that on the conclusion of the coronation the mass was completed. The inaccuracy of this report appears from the summary of the service which I have given above. So far from coming almost at the beginning of the programme the mass concluded the whole proceeding; a number of elaborate ceremonies, which must have lasted several hours, intervened between it and the 'recognition.' It is difficult to believe that such a misleading account could have been written by a spectator. It may be objected that the Italian uses the word mass in a loose way to refer to the whole solemnity,²⁰ which might easily be called a mass, since the rite of unction imparted sacramental grace. This explanation is not admissible however, because the references to the epistle and gospel and to elevation and consecration make it clear that when he talks of the mass he means the

wards paternosters and aves, or aves only.' Cf. also *Forms of Bidding Prayer*, Oxford, 1840, by H. O. Coxe.

¹⁸ It will be noticed that the reporter places the bidding prayer after, instead of before, the sermon. This was the ancient practice, which had long become obsolete. Unless our reporter has misplaced it through carelessness its position after the sermon is a curious illustration of the antiquity of the coronation service. Just as the coronation mass contained two items of ceremonial, the offering of bread and wine and the kissing of the gospel, which were of general observance in the early ages of the church, but had long become obsolete, so the placing of the bidding prayer after, instead of before, the sermon was another survival from remote antiquity (*Lay Folks' Mass Book*, pp. 221, 232).

¹⁹ See footnotes on p. 672, below.

²⁰ Machyn uses the word 'mass' in this sense (*Diary*, p. 187).

mass proper. It is impossible to avoid the impression that his report is based on secondhand, inaccurate information.

III. The Coronation Mass.

I now come to the points to which I wish to draw more particular attention, the manner of celebrating the mass at Elizabeth's coronation and her conduct at that part of the service. For purposes of comparison I print the three reports side by side, placing the English report first, because it is the fullest.

<i>English Report.</i>	<i>Herald's Report.</i>	<i>Italian Report.</i>
1. And after that the bishop began the mass, the queen's majesty having the sceptre in the right hand and the world in the left hand	1. Then ye mass began by ye dean, she still sitting	1. Then the choristers commenced the mass, which was sung by the dean of her chapel, her chaplain, the bishops not having chosen to say mass without elevating the host or consecrating it, as that worthy individual did
2. the epistle read first in Latin		
3. and after that in English		
4. and after that the bishop brought ²¹ her grace the gospel, which also was read first in Latin and after in English		8. { The epistle and gospel 4. { being recited in English
5. and she kissed ²¹ the words of the gospel		
6. and immediately after her majesty went ²² to the offering, and before her grace was borne iii naked swords and a sword in the scabbard	6. till ye offering	
7. and her grace kneeling before the altar, and kissed the paten and offered ²³ certain money into the basin	7. she went and kissed ye patent	
8. and then and there was read ²¹ to her grace certain words	8. and had a collect said over her	
9. and then her grace returned into her closet, hearing the consecration of the mass	9. and went to her traverse, and ye mass proceeds	

²¹ See the 'Liber Regalis,' *Engl. Coron. Rec.* p. 108. The kissing of the gospel was part of the prescribed ritual.

²² *Ibid.* The offering also was part of the ritual.

²³ Cf. the 'Liber Regalis,' *Engl. Coron. Rec.* pp. 108, 104. The offering consisted of bread and wine and a mark of gold. It will be noticed that the report does not mention an offering of bread and wine. They are mentioned in the reports of the coronations of Edward VI (Leland, *Collectanea*, 1774, iv. 327) and Mary (MS. College of Arms, no. I 7, p. 72).

²⁴ Cf. 'Liber Regalis,' *Engl. Coron. Rec.* p. 104: 'Capite regis ante altare paululum inclinato dicat pontifex qui celebrat missam oraciones sequentes.' Then follow two prayers, and then the rubric, 'Hiis oracionibus finitis reducantur ad sedes suas.'

<i>English Report.</i>	<i>Herald's Report.</i>	<i>Italian Report.</i>
10. and her grace kissed the pax ²⁵		
11. and when the mass was done her grace removed behind the high altar, and then and there her majesty changed her apparel	11. and ended ye queen went into St. Edward's Chapel to shift her	11. The mass and all the ceremonies being concluded, and the queen having twice changed her apparel, they returned into Westminster Hall

A glance at the several reports printed above shows that the English report is much the fullest. It gives the order of the service correctly, mentioning eleven distinct items, while the herald's report mentions six and the Italian only three. The two items which possess most interest for the historical student are the first and the ninth, since they provide materials for an answer to the question, Did irregularities occur at Elizabeth's mass, or was it performed according to the correct Roman (or rather Sarum) ritual? On this point there is a remarkable contradiction in the reports. The herald's report and the Italian report agree in saying that the mass was sung (or begun) by the dean, while the English report says that it was begun by the bishop; the herald's report and the English report agree in saying that Elizabeth withdrew at the consecration, implying thereby that the ceremonies of elevation and consecration were performed, while the Italian report asserts that there was no elevation or consecration.²⁶ We may feel reasonably certain that the three reports emanate from three independent sources, and consequently when two of them agree as to a particular incident we have very strong evidence that that incident really occurred. At first sight, therefore, we are inclined to assume, as facts which are conclusively proved, first, that the mass was sung by the dean, and secondly, that Elizabeth withdrew at the consecration. But a little consideration shows that these two facts are inconsistent. If the dean sang the mass why should Elizabeth withdraw? Her only possible motive for withdrawing was repugnance to the ceremony of elevation. But if the dean sang the mass it is hardly conceivable that he should have insisted on performing

²⁵ Cf. 'Liber Regalis,' *Engl. Coron. Rec.* p. 105. The pax was 'a plate with a figure of Christ on the cross stamped on it, kissed first by the priest, then by the clerics and congregation' (*Catholic Dictionary*, 1897, p. 542).

²⁶ When the Italian says that there was no consecration it is not necessary to assume that he means no consecration of any kind. What he probably means is that there was no valid consecration, no consecration worth the name. It was a common charge against the Reformers that their consecration was no consecration. The speeches of Scot and Feckenham against the Bill of Uniformity (reprinted in Dr. Gee's *Elizabethan Prayer Book*, pp. 228, 236) make the charge, and Scot sums it up by saying that in the consecration the Reformers pass over the words of Christ 'as they were telling a tale or rehearsing a story.' See also the *Parker Correspondence*, p. 65 (Parker Society).

a rite which was distasteful to her. The dean was George Carew,²⁷ archdeacon of Exeter, a man who had held spiritual preferment under both Edward and Mary, a man, that is to say, of pliable character, who would certainly not have insisted on a ceremonial which his mistress disliked. Indeed, his very appointment as dean shows that he would make no difficulty about complying with her wishes. She would not have deprived Thirlby²⁸ in order to appoint Carew without first making sure that he would perform the services in the way that she liked. We may therefore feel satisfied that if the dean sang the mass the rite of elevation was omitted. But if the rite of elevation was omitted why should Elizabeth withdraw? This question leads to another: Is it certain that she withdrew? The reports say that she went (or returned) to her traverse (or closet). Do they mean that she withdrew entirely from the service, or merely that she went from the throne, on which she had been sitting, to a traverse, or curtained pew, near the altar? In the sixteenth century the word 'traverse' was used to describe a royal pew or inclosure in church secluded by a curtain. When Elizabeth opened parliament in 1563 she sat in a traverse²⁹ at the preliminary service in Westminster Abbey. Since it was her practice when she attended church to sit in a special pew, which the language of the day called a traverse, it is an obvious inference that the traverse to which she withdrew during her coronation mass was such a traverse, and that she withdrew to it not from repugnance to any part of the ceremonial but merely because it was her habit to seclude herself in this way during divine service.³⁰

For two reasons however this view is untenable. In the first place it is clear that in Tudor times the king heard the coronation

²⁷ See *Dictionary of National Biography*, ix, 51, and references quoted in the first paragraph. For a fuller account of Carew see B.M. Add. MS. 5811, p. 64r, and Fryth's 'List of the Deans of Windsor' (*Ashmole's Antiquities of Berkshire*, iii, 231). Carew was a noted pluralist, holding at the same time the deaneries of Windsor (collated 1560) and Bristol (collated 1559), as well as other preferments. Fryth accuses him of dilapidating the deanery of Windsor in such a shameless way that the visitor, Lord Keeper Bacon, had to interfere.

²⁸ *Spanish Calendar*, p. 6.

²⁹ 'The order of the proceedings of the parlamente one the vth yere of our soueraigne lady quene Elizabeth'

[*procession*].

'And in this order her highness proceeded to the cathedral churche of Westminster and there at the north dore alyghted where was delivered to her highnes ye Scepter The deane with all the reste of the Clarkes standing on eche syde within the cherche in there copes Thus her highnes there under a canopy borne by the knights her Scepter in her hand and Trayne borne by the Lord Chamblen assysted by the vischambn proceeded uppe in to the Chancell and there was placed within her travers on ye south side therof and so proceeded to the servyce' (D'Ewes 'Collections,' Harleian MS. 158, p. 127). For other instances of Elizabeth's use of a traverse see Nichols's *Progresses*, i, 158, 159, 199, 209.

³⁰ The use of a traverse was not peculiar to Elizabeth. Henry VII is mentioned as using one at mass (Leland, *Collectanea*, iv, 245).

mass seated on his throne, merely descending to the altar to make his offering and to receive the sacrament. This ritual is prescribed explicitly in the 'Devices' for the coronation of Henry VII³¹ and Henry VIII,³² and it was observed at the coronations of Elizabeth³³ of York (Henry VII's queen), Anne Boleyn,³⁴ Edward VI,³⁵ and Mary.³⁶ Elizabeth's withdrawal to a traverse after the offering was a divergence from contemporary ritual which in a solemnity where the prescribed order was scrupulously observed cannot have taken place without grave reason. In the second place, at coronations the word traverse had a special meaning, viz. the dressing-room to which the king withdrew to change his vestments.³⁷ The word occurs repeatedly in reports of coronations during the sixteenth and seventeenth centuries, and always, so far as I have found, in this sense.

In order that the meaning of Elizabeth's action in withdrawing may be fully understood one point remains to be made clear, viz. the situation of the traverse. The English report refers to it as behind³⁸ the altar, while the herald's report says at one place that she went to her traverse, and almost immediately after that she went into St. Edward's Chapel 'to shift her.' Again, the report of Mary's coronation when it first mentions her traverse describes it as 'beinge on the lyft hande of the high aulter.'³⁹ It looks as if Mary and Elizabeth had two traverses, one beside the high altar and the other in St. Edward's Chapel. This inference is negatived however by the final reference to the traverse in Mary's report,⁴⁰ which is in the following terms: 'Then she was conveyd agayne into her traversse aforesaid and ther the lord great chamblen

³¹ *Engl. Coron. Rec.* pp. 235-7.

³² Cotton MS. Tib. E. viii.

³³ Leland, *Collectanea*, iv. 224.

³⁴ Hall's *Chronicle* (ed. 1904), ii. 238.

³⁵ Leland, *Collectanea*, iv. 327. The minutes of the meeting of Edward VI's privy council at which the programme for his coronation was drawn up end with the following sentence: 'Then shall the King be ledde to his traver to heare the High Masse and so departe home crowned in order as he set fourthe accordingly' (*Privy Council Acts*, ii. 83). These words seem to prove that Edward VI, at any rate, heard his coronation mass in a traverse. But they are contradicted by the report of the actual coronation, which states expressly that he heard the mass seated on his throne. It was probably the usual practice for the king to sit in a traverse when he attended mass, and the privy council, who were not experts in coronation ritual, took for granted, when drawing up the programme, that at his coronation he would hear mass in the usual way.

³⁶ MS. College of Arms, I 7, p. 72. The reports of Edward's and Mary's coronations do not mention their communion, but it is practically certain that Mary, at any rate, communicated.

³⁷ *Engl. Coron. Rec.* p. 106.

³⁸ 'When mass was done her grace removed behind the high aulter, and then and there her Matie changed her apparel.'

³⁹ MS. College of Arms, I 7, p. 70.

⁴⁰ *Ibid.* p. 72.

rd [i.e. received] of her all the regalles and delyvered them to the deane of Westminster to be laid upon the aulter.' The word 'aforesaid' implies that only one traverse was used at Mary's coronation. A reference to the 'Little Device' of Henry VII enables us to locate this traverse with certainty in St. Edward's Chapel. The ceremony of delivering the ornaments after the mass was performed⁴¹ in St. Edward's Chapel, and Mary's traverse must, accordingly, have been placed there. At Elizabeth's coronation the situation of the traverse was no doubt the same. That she had a traverse in St. Edward's Chapel is proved by the statement in the herald's report that she went there to 'shift her' after the mass, and that this was her only traverse is proved both by the analogy of previous coronations and by the following passage in an almost contemporary document on coronation ritual: 'A traverse near unto St. Edward's shrine and a closet⁴² are to be used for their [the king's and queen's] retiring places when they twice shift their robes in the time of their coronation.'⁴³ We may, therefore, regard it as certain that the traverse to which Elizabeth withdrew was in St. Edward's Chapel. But St. Edward's Chapel was situated behind the chancel of the main building, and was separated from it by the stone wall (technically called the sanctuary wall) against which the high altar was placed. In order to enter it Elizabeth had to pass through one⁴⁴ of the doors which pierce this stone wall on each side of the altar, and by passing through the door she left the chancel of the Abbey and withdrew entirely from the service.

Why did Elizabeth commit this striking breach of the ritual of centuries? Why did she withdraw from the mass when the most solemn part of the service was about to begin? The answer hardly admits of doubt. Her motive for withdrawing was repugnance to the ceremony of elevation.⁴⁵ The elevation of the Host, in the eyes

⁴¹ 'And it is to wit that a certain place near the said Shryne [St. Edward's] must be prepared with travers and curtens. . . . And there also the said chamberlayn shall take for [from] the King all the Regalls aforesaid, and peace by peace deliver them to the Abbot of Westminster, the same by him to be Layed upon the said Awlter [of St. Edward's shrine]' (*Engl. Coron. Rec.* p. 287).

⁴² The closet was for the queen. The word is used in this sense, and also as synonymous with traverse in the 'Little Device' of Henry VII (*ibid.* p. 288).

⁴³ This quotation is taken from B.M. Add. MS. 6297, p. 359. The manuscript is entitled 'Precedents &c. of the Officers of Arms;' it is written in a comparatively modern hand, and contains copies of notes on all sorts of heraldic questions interspersed with narratives of royal ceremonies in the sixteenth and first quarter of the seventeenth century. To judge from the context the passage quoted was written in 1625 in connexion with Charles I's coronation.

⁴⁴ When a king and queen are crowned the king passes to his traverse through the south door and the queen to her traverse through the north door (*Engl. Coron. Rec.* p. lxii).

⁴⁵ The English reporter uses the word 'consecration,' not 'elevation,' but the terms were almost synonymous. Cf. Simmons in the *Lay Folks' Mass Book*, p. 268:

of the sixteenth century, was the visible sign which proclaimed the doctrine of transubstantiation,⁴⁶ and we know on the clearest evidence that it was repugnant to Elizabeth. Independent contemporary witnesses tell us that on Christmas Day she ordered the bishop who sang mass to omit elevation, and that on his refusal she withdrew from the service.⁴⁷ This incident created

'Sacrings is properly the consecration or blessing of the sacramental elements, but from the twelfth century onwards it was so closely connected with the elevation, which men could see—and the words of the canon they could not hear—that it was used in popular language for the elevation of the Host.'

⁴⁶ The objections of the catholics to the First Prayer Book of Edward VI in 1548/49 centred upon the omission of elevation and adoration. See Gasquet and Bishop, *Edward VI and the Book of Common Prayer*, pp. 165, 178, 199, 405.

⁴⁷ (i) *Fitswilliams to More*. 'And ffor newes you shall ondyrstand that yestyrydaye beyng Chrystemas day the quene's majestie repayryd to hyr great closet with hyr nobles and ladyes, as hath ben accustomed yn ssuch high feasts. And she perseeving a bysshope preparing himselfe to masse all in the olde flowrme, she tarryd there untill the gospelle was done, and when all the people lokyd ffor hir to have offryde according the olde ffacon, she with hyr nobles reeturnyd agayn ffrom the closet and the masse, onto her priveye chamber' (Kempe's *Losely MS.* p. 183).

(ii) *Spanish Calendar*, p. 17: 'On the Sunday of Christmas-tide the queen before going to mass sent for the bishop of Carlisle, who was to officiate, and told him that he need not elevate the host for adoration. The bishop answered that her majesty was mistress of his body and life, but not of his conscience, and accordingly she heard the mass until after the gospel, when she rose and left, so as not to be present at the canon and adoration of the host, which the bishop elevated as usual.'

(iii) *Venetian Calendar*, p. 2: 'On Christmas Day the bishop of Carlisle sang high mass, and her majesty sent to tell him that he was not to elevate the host; to which the good bishop replied that thus had he learnt the mass, and that she must pardon him, as he could not do otherwise; so the gospel being ended, her majesty rose and departed, and on other days it has been so done by her chaplains.'

(iv) Before issuing the bull 'Regnans in Excelsis' (dated 25 February 1570), by which he deprived Elizabeth, Pope Pius V caused an inquiry to be held into her conduct. At this inquiry Daniel, ex-dean of Hereford, deposed as follows: 'Adfueram cum Regina Elizabetha in Sacello esset sub anno 1559 ubi Missam celebrante episcopo Calceonensi dum Cantores gloria in excelsis canebant ipsa unum qui a secretis ei erat ad eundem episcopum misit, qui praeciperet ne Hostiam elevaret. At episcopus, ut accepi, respondit se iuxta Catholicae ecclesiae consuetudinem, Hostiam elevare velle. Quare Regina antequam evangelium diceretur discessit: et ipse a secretis mihi dixit quod discesserat, ne videret Sacramenti elevationem. Et Decanus, Reginae nomine praecepit mihi, ut die S. Stephani celebrare deberem, sine tamen elevatione. Quod quidem facere recusavi. Quare illa postea sacellanum suum, Minter appellatum, misit qui absque elevatione celebravit; et videbam Reginam quae aderat huic; quia ego quoque aderam et praefatus Presbyter non elevavit' (*Annales Ecclesiastici*, vol. xxiv., Rome, 1787; quoted by Dixon, v. 15). The 'Minter' referred to at the end of this quotation was probably Winter, one of the queen's chaplains. A list of 'spiritual men without promotion,' which is among the State Papers (Dom., Eliz., vol. iv. no. 88), contains the following entry: 'Chaplains of the queen's majesty:

Mr. Dean,
Mr. Almoner,
Mr. Wynter,
Mr. Yonge,
Mr. Dowman.'

This document, from internal evidence, must belong to a date not earlier than the end of May 1559.

such a stir that it was known in Rome in January⁴⁸ and in Germany⁴⁹ almost as early.

I have now reached two definite conclusions, first, that Elizabeth withdrew at the consecration, and secondly, that she withdrew because the ceremony of elevation was distasteful to her. A third conclusion is inevitable, that the elevation must have taken place. But, as I have already shown, if the mass was sung by the dean the elevation cannot have been performed. We are thus confronted by two point-blank contradictions, the performance of the solemnity by the dean and the insistence on elevation. From these contradictions there is no issue unless we assume that the mass was sung, not by the dean, but, as the English reporter says, by the bishop. Notwithstanding the concurrence of the herald's and Italian reports I believe that they are mistaken and that the Englishman is right. If the bishop sang the mass the contradictions disappear. The bishop sang the mass with the full ritual, including elevation, and Elizabeth withdrew because the elevation was distasteful to her. The same thing happened as had happened on Christmas Day. On both occasions the officiating bishop was Oglethorpe, on both occasions he celebrated the mass with the full ritual, on both occasions Elizabeth withdrew.

Besides the argument from the probabilities of the case there is an argument of a more direct kind that Elizabeth's coronation mass was celebrated by a bishop in the orthodox way. This argument is derived from the evidence of Daniel at the Roman process of 1570, which I have quoted above.⁵⁰ The object of Daniel's evidence was to prove that Elizabeth had committed heretical acts, and therefore he deposed to heretical acts of which he had been eye-witness, the prohibition of elevation on Christmas Day and the celebration without elevation the day after. Now Daniel was the sub-dean of Elizabeth's chapel,⁵¹ and he must have been present at her coronation with the other members of the chapel. If Elizabeth's coronation mass was celebrated in an irregular way surely he would have mentioned it in his evidence. The object of that evidence being to prove her heresy, what more capital instance could he give than the celebration of her coronation mass in an heretical way? The argument from silence is seldom convincing, but having regard to the circumstances in which Daniel gave his

⁴⁸ A *diarium pontificum* in the Corsini Library (98 F. 6) contains the following entry: '1559. La Regina d'Inghilterra finalmente di questo mese (gennaro) si dichiara Luterana, e fece un decreto che non si dovesse predicar altro che l'Evangelio e l'Epistola di San Paolo et essendo alla messa non volse stare a veder consecrare anzi volse impedire il vescovo che non consecrasse' (Record Office Transcripts, vol. 69).

⁴⁹ Duchess of Suffolk to Cecil, from Crossen, dated 4 March: 'Well, it is so reported here that her majesty tarried but the gospel, and so departed' (*Foreign Calendar*, p. 160).

⁵⁰ P. 662, note 47.

⁵¹ Coronation Accounts, p. 97.

evidence his omission to refer to Elizabeth's coronation mass creates at least a presumption that it was celebrated in the orthodox way.

If it is a fact that a bishop sang the mass, is it possible to explain why both the Italian and the herald's reports assign the office of celebrant to the dean? I believe the answer to be that the dean began the mass by leading the choir when the introit was sung. The rubric in the *Liber Regalis*⁶² is as follows:—

Tunc omnibus hiis ita peractis inchoetur officium misse a cantoribus de solempnitate diei, si contigerit dictam fieri coronacionem in festo solempni. Si vero evenerit quod dicta coronacio fiat in simplici die dominico missa de dominica prius a conventu debito more celebrata Incipiatur missa pro rege officium.

Elizabeth was crowned on a simple Sunday, and it may be presumed that the mass began with the office, or introit, 'Protector Noster.' This is what happened at the coronations of Henry VII⁶³ and Henry VIII,⁶⁴ and there is no reason to suppose that a change was made later. We know from the 'Little Device' of Henry VII⁶⁵ that the introit was begun by the choir, and we know from Machyn's diary,⁶⁶ read with the Italian report,⁶⁷ that the choir at Elizabeth's coronation was furnished by the Queen's Chapel.⁶⁸ Now the head of the Queen's Chapel was the dean of the Chapel Royal, and it is conceivable that the words of the herald's report, 'then ye masse began by the dean,' merely mean that the dean and the chapel began the introit 'Protector Noster.' The Italian reporter, having heard that the dean began the mass by leading at the introit, jumped to the conclusion that he sang the whole mass and assumed that he omitted the elevation, just as he had omitted it on previous occasions. This explanation seems more probable than the only alternative, that Carew, the dean of Elizabeth's own chapel, the man whom she had selected for this post not two months before, insisted on performing a rite which was so obnoxious to her that she withdrew from the solemnity rather than be present at it.

⁶² *Engl. Coron. Rec.* p. 102.

⁶³ *Ibid.* p. 236.

⁶⁴ Cotton MS. Tib. E. viii.

⁶⁵ 'All the premisses dewly done, the office of the Masse that beginneth, Protector Noster, shalbe begone of the rulers of the "Quere"' (*Engl. Coron. Rec.* p. 236). Similarly at the coronation of Henry VIII (Cotton MS. Tib. E. viii.) The reports of the coronation of Edward VI and Mary do not mention what chants were used at their coronations.

⁶⁶ P. 187: 'Ther mett all the byshoppes, and all the chapell with iii crosses, and in ther coopes, the byshops mytered, and syngyng Salve festa dies.'

⁶⁷ 'The queen was receiued [in Westminster Hall], the choristers singing' (*Venet. Cal.* p. 16).

⁶⁸ Elizabeth's chapel consisted of the dean, Carew, the sub-dean, Daniel, 5 priests, a paternoster priest, an epistoler, 26 gentlemen of the chapel, the master of the children, 12 children, and 6 men of the vestry (Coronation Accounts, p. 97).

IV. *Elizabeth's Behaviour at the Mass.*

I now come to the detail of the coronation mass. It was high mass with the addition of certain ceremonies peculiar to the occasion. According to the *Liber Regalis*,⁶⁰ read with the Sarum missal,⁶⁰ the service, at the point to which I wish to call attention, proceeded as follows :—

- (1) the gospel,
- (2) the presentation of the gospel to the king to kiss,
- (8) the king's offering consisting of an oblation of bread and wine and a mark of gold,
- (4) two prayers,
- (5) the preliminary elevation,⁶¹
- (6) the consecration and the elevations following on the consecration of each of the elements,
- (7) the ritual following on consecration,
- (8) the Agnus Dei,
- (9) the presentation of the pax to the king to kiss,
- (10) the communion, including the communion of the king.

The English, read with the herald's report, enables us to follow Elizabeth's proceedings. She remained present during the earlier part of the mass, seated on her throne; after kissing the gospel (2) she came down from her throne and made her offering (8), two prayers were said over her (4), and then, when the preliminary elevation (5) was about to take place, instead of returning to her throne, as the contemporary ritual directed and as Henry VII, Elizabeth of York, Henry VIII, Anne Boleyn, Edward VI, and Mary had done, she withdrew into her traverse in St. Edward's Chapel, where she remained until the consecration and the elevations incidental to consecration (6) were completed. She returned to her throne⁶² at some point during stages (7) and (8) of the service, she received the pax (9), and it may be presumed that she remained present until the mass was finished. If she had absented herself again the reports could hardly have failed to mention the fact.

On one point the reports leave us in doubt,—whether Elizabeth communicated or not. Because they are silent it does not follow as of course that she abstained. There can be no doubt that Mary communicated, and yet the official report⁶³ of her coronation makes

⁶⁰ *Engl. Coron. Rec.* p. 103.

⁶⁰ Maskell, *Ancient Liturgy*, 1882.

⁶¹ By the English uses (except Hereford) the Host was elevated immediately before as well as after consecration. The preliminary elevation was not authorised by the Roman use (Maskell, *Ancient Liturgy*, p. 134; *Lay Folks' Mass Book*, p. 283, note 2).

⁶² The reports do not say this explicitly, but as her four predecessors received the pax seated on the throne Elizabeth probably received it there too.

⁶³ MS. College of Arms, I 7, p. 72.

no mention of the fact. It records the fact that she received the pax, and then goes straight on to the final ceremony of revesting. Two circumstances however make it probable that Elizabeth did not communicate. The first is that no mention is made of her offering an oblation of bread. The king's offering at the mass consists of a mark of gold, an 'obley' of bread, with which he is afterwards 'houselled,' and a cruet of wine, which is given to him to drink after his communion.⁶⁴ Now the English report mentions the offering of money, but not the offering of bread and wine. It is a reasonable inference that no bread or wine was offered. The probability of the inference is increased by the report of De Feria, the Spanish ambassador. Writing on 31 January De Feria says—⁶⁵

By last post ⁶⁶ I wrote your majesty that I had been told that the queen took the holy sacrament *sub utraque specie* on the day of her coronation, but it was all nonsense. She did not take it at all.

This report is probably correct, for De Feria, having misinformed Philip once, would presumably make sure of his facts before sending a second report. What he writes, taken with the silence of the English narrative, may be regarded as proving that Elizabeth did not communicate.

C. G. BAYNE.

I. THE ENGLISH REPORT.

State Papers, Domestic, Addenda, vol. 9, no. 9. Transcribed from Mr. Anthony Anthony's collection.

First her Grace satt in a chair ⁶⁷ of Estate in the midde of the Church before the high aulter and immediately her Grace was conducted from the said chaire and led between two Lordes ⁶⁸ to be proclaymed by a Bishop Quene of England at iiii places and the Trumpettes blowing at every proclamation. And immediately the Quene's Maty. was brought to the Chaire of Estate.

⁶⁴ *Engl. Coron. Rec.* p. 236 (for Henry VII); Leland, *Collectanea*, iv. 327 (for Edward VI); MS. College of Arms, I 7, p. 72 (for Mary).

⁶⁵ *Span. Cal.* p. 25.

⁶⁶ This letter is not extant.

⁶⁷ Cf. *Engl. Coron. Rec.* p. xxii. According to the prescribed ritual the king sat in three different chairs at different parts of the ceremony—(1) the chair of estate, (2) St. Edward's chair, (3) the throne. At certain points he knelt at a faldstool. In Elizabeth's coronation accounts three chairs are referred to—(1) 'St. Edward's chaire,' (2) the 'siege Boyall,' (3) a 'Chayre of Estate' (pp. 17-9). There is no mention of a faldstool.

⁶⁸ The earls of Shrewsbury and Pembroke (*Venetian Calendar*, p. 18, and the Lord Chamberlain's Records, vol. 792, p. 167). The office of supporting the king at his coronation belonged to the bishops of Durham and Bath and Wells (*Engl. Coron. Rec.* p. 180). Tunstal and Bourne, the incumbents of the sees at Elizabeth's accession, were absent from her coronation. Tunstal was excused from attending on account of his age and the discomfort of travelling in winter. The draft of the letter which

And immediately her Grace was led before the high aulter and there sitting a Bishop the Quene's Matie kneeling before the Bishop and kissed the patyn her Grace offered⁶⁹ money and the Bishop layd it in ye Basyne and immediately offerid a part⁷⁰ of red silke wherein the paten was covered.

And immediately⁷¹ hir Highness sat in a chaire before the Aulter there being a Bishop⁷² in the Pulpit preaching a Sermon before the Queenes Matie, and all the Lordes Spirituall and Temporall. And after the Sermon done the Bishop bade⁷³ the bedes her Grace voyde out of the chayre kneelynge and said the Lordes Prayer.

And after that her Grace satt in hir Chayre. And the Bishop gave her a Book which she had taking her oath. And after that the Bishop kneeling before the Aulter read in two Bookes; and her Grace gave a little book to a Lord to deliver unto the Bishop. The Bishop returned the book to the Lord, and red other Bookes. And immediately the Bishop took the Queenes booke and read it before the Quene hir grace.⁷⁴

excused him is among the State Papers (Domestic, vol. i. no. 37). It instructs him to nominate three 'mete persons' from whom the queen would choose one to perform his duties at the coronation. The draft had first directed him to nominate three 'of your brethren bishops,' but these words have been crossed out and the direction to nominate three meet persons substituted. Bourne, who was president of the council of Wales, was absent from parliament, presumably on the duties of his office, and it may be assumed that he was absent from the coronation also.

⁶⁹ The Coronation Accounts (p. 15) contain the following entry:—

'iii yardes satten Crimsin wroughte with Braunches & workes of golde for one Paule for the Quene to offre at high masse.'

No reference is made to the offering of gold, but the following entry occurs in the summary of the articles provided for Elizabeth's coronation (Lord Chamberlain's Records, vol. 792, p. 225):—

'Crimsen capha [a rich silk cloth] golde bawdkin for a pawle
which the Quene doth offre at highe masse iii yerdes
a pece of golde value xx s.'

It will be noticed that the first and second offerings are confused. The offering at high mass was the second offering, but a pall was not offered then.

⁷⁰ 'Part' is no doubt a copyist's error for 'pall.'

⁷¹ According to the 'Liber Regalis' (*Engl. Coron. Rec.* p. 87) the king lies prostrate before the altar after the offering, a short prayer is said, and then the sermon follows. The report of Mary's coronation notes that at this point 'a quission of velvet was layd before the Aulter upon the which her Grace laye prostrat whyle eten [sic for 'certain'] orysones was said over her' (MS. College of Arms, I 7, p. 70).

⁷² The name of the bishop has not been preserved. He was chosen by the other bishops, as appears from the following entry in the 'Articles Concerning the Queen's Coronation': 'Item her Matie Spiritualltie to appoint the precher the Daie of the Coronacion.' The preacher at Mary's coronation was the bishop of Chichester, who was specially appointed by Mary (*Privy Council Acts* for 4 September 1553, vol. iv. 389).

⁷³ See p. 655.

⁷⁴ As I have noted at p. 654 I am unable to make anything of this confused account. The 'Articles' contain the following entry: 'Item a copy of the Othe that her Majestie shall take to be sene and perused by her highness. The Bokes remayne with the Abbot of Westminster.' The oath was in the form of questions by the bishop and answers by the queen, and the books referred to in the 'Articles' as remaining with the abbot of Westminster were probably separate copies of the oath.

And after that hir Grace kneeled before the Aulter and the Bishop red a booke before her Grace.⁷⁵ And immediately her Grace went to shift her apparel.⁷⁶

The consecration preliminary to the anointing

And the Bishop sang the of the Masse in a Booke which was brought in before the Queene. And then and there was a carpet with kussynes of gold spread before the aulter. And Secretary Cycill delivered a Booke to the Bishop and there was a Bishop standing at the left hand of the aulter.⁷⁷

And the Queenes Matie being newly apparelled came before the Aulter and lean'd⁷⁸ upon the kussyns, and over her was spread a read silken cloth.⁷⁹ And then and there the Bishop annoynted her

The anointing

Grace. And that done changing apparel her grace retorned and sat in her chayre.⁸⁰

⁷⁵ These few words describe a ceremonial of considerable length, during which the 'Veni Creator' and the Litany are sung and several long prayers are said (*Engl. Coron. Rec.* p. 88), the king lying prostrate before the altar.

⁷⁶ According to the 'Liber Regalis' (*ibid.* p. 91) the changing of apparel takes place after, and not before, the singing of the sentences which are referred to in the words 'the . . . of the masse.'

⁷⁷ It is difficult to identify the item of ceremonial referred to here. I conjecture that these words refer to the taking of the oath and were added as an afterthought. They ought to have come in a few lines earlier, but were inserted here by mistake—perhaps of a copyist.

⁷⁸ Cf. *Engl. Coron. Rec.* p. xxxvi. Mr. Legg points out that the later Plantagenets and the Tudors knelt to receive the unction.

⁷⁹ The Coronation Accounts (p. 15) contain the following entry:—

'pawles of baudekin	{	Satten crimson wroughte with Braunches and workes of gold for one Paule of iii yardes di qrt [three-quarters] in Lengthe and vi breedes to holde over the Queene when she is annoynted. xii yardes sarscinett crimson for to lyne the same Paule.'
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⁸⁰ At this point follow several ceremonies which the report omits. These are as follows: Those parts of the king's body which have been anointed are dried with cotton wool (except the head), a coif is placed on the head to protect the holy oil, linen gloves are placed on the hands, the king is vested in the garment called the *colobium sindonis*, the insignia are blessed, the king is indued with the long tunic, buskins, sandals, spurs, and girdle or sword belt, and the sword is blessed. Although the report does not mention these ceremonies they were no doubt performed at Elizabeth's coronation. The Coronation Accounts (pp. 12, 15, 22) record the provision of the following articles:—

'Gloves and Quoyffes A tabberde of white sarscinett	{	one paire of fyne gloves knytt with white threede and for one quoyte of camericke with laces. fyve yardes of white sarscinett for one tabberde to be putt uppon the Quenes Mates gowne when she is annoynted.
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Cotton wolle—fyne cotton wolle which Dried uppe the Oyle after the Quenes majestie was annoynted.

Certen neces- sarye Par- cells had in the Quenes Jewelhouse	{ Sainte Edwardes spures.
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Of these several articles the gloves must have been the gloves put on after the unction, as they are bracketed with the coif. The 'tabberde of white sarscinett' was the *colobium sindonis*, which was shaped like a tabard (*Engl. Coron. Rec.* p. 232). There is no direct evidence that the remaining ceremonies mentioned above were performed,

And there was a sword with a girdle put over her and upon one of her shoulders and under the other and soe the sword hanging by her side. And after that two garters⁸¹ upon her handes, and then one Crowne⁸² put the Bishop upon her head, and then Trumpetes sounding and the Bishop put a Ring⁸³ upon her finger and delivered the Scepter⁸⁴ in her hand and than after the Bishop sat a Crowne upon her head and the Trumpettes sounding. And after that hir Grace offered the sword, and laid it upon the Aulter⁸⁵ and returned,⁸⁶ kneeling. And the Bishop reading upon a Booke,⁸⁷ and she

but it is improbable that they were omitted. The buskins, sandals, and girdle are mentioned among the regalia which were delivered by Sir Richard Sackville to Dr. Bill in 1559 (*ibid.* p. 243).

⁸¹ See above, p. 655 n. 13. After the armill, according to the 'Liber Regalis' (*Engl. Coron. Rec.* p. 95), the king receives the mantle. I have found nothing to show whether Elizabeth was vested with this garment or not.

⁸² Only two crownings are mentioned in this report, but Elizabeth was no doubt crowned with three crowns, since the herald's report begins 'was crowned with 3 crowns the trumpets blowing at ech,' and the Coronation Accounts contain the following entry (p. 22) :—

'certain necessarye Parcells had in the Quenes Jewelhouse	}	. . . Three crowns.
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Three crowns were used at the coronations of Edward VI (Leland, *Collectanea*, iv. 326) and Mary (MS. College of Arms, I 7, p. 71).

⁸³ 'A Ringe' was among the 'Parcells' delivered from the jewel house. The 'Articles concerning the Quenes Ma^{tie} Coronacion &c.' contain the following entry : 'Item the Crowne the Circlett and Ringe to be broughte that her highnes may assaie the same.' The circlet referred to in this passage was probably worn by the queen to keep her hair in order before the anointing. Cf. *Engl. Coron. Rec.* pp. 226, 235, and Hall's *Chronicle* (ed. 1904), ii. 238.

⁸⁴ According to the prescribed ritual (*Engl. Coron. Rec.* p. 97) the offering and redemption of the sword and the delivery of the gloves come before the delivery of the sceptre. The gloves or glove were presented by the lord of the manor of Workshop, who at the time of Elizabeth's coronation was the earl of Shrewsbury (*ibid.* pp. li, lxxvii). As Shrewsbury took a prominent part in the coronation, being one of the earls who supported Elizabeth, there can be little doubt that the gloves were presented, although our reporter has omitted to mention the fact. Shrewsbury put on Edward VI's 'gantlet' at Edward's coronation (Harleian MS. 3504, p. 242 r).

⁸⁵ The offering of the sword at Mary's coronation took place immediately before the crowning. The sword was redeemed by the earl of Arundel (MS. College of Arms, I 7, p. 70 r). The redemption of the sword at Elizabeth's coronation is perhaps referred to in the following passage in the herald's report : 'The Lord Steward carrying ye sword which was . . . [blank in manuscript] then he gave it to ye Lord Cobham.' The blank should probably be filled by the word 'redeemed.'

⁸⁶ The last ornament delivered to the king is the rod. The report does not mention its delivery to Elizabeth at this point, but it notes later that at the mass Elizabeth had the sceptre in her right hand and the 'world' (i.e. orb) in her left, and the herald's report states that she 'had given her the sceptre in her right hand and ye ball in her left hand.' The insignia referred to respectively as the 'sceptre' and the 'ball' were the rod, or sceptre of gold with the dove on the top, and the orb, or rod of gold with the cross on the top. They are described in these terms in the 'Devices' of Henry VII (*Engl. Coron. Rec.* p. 234) and Henry VIII (Cotton MS. Tib. E. viii.)

⁸⁷ These words probably describe the blessing which concluded the ceremony of delivering the ornaments (*Engl. Coron. Rec.* p. 98).

having a Scepter⁸⁸ and a Crosse in her hand. And after that, hir Grace returned to the Chayer of Estate.

And then the Bishop put his hand to the Quenes hand and read certaine wordes to her Grace. And then the Lordes went up to her Grace kneeling upon their knees and kissed her Grace. And after the homaging Lordes had done, the Bishops came one after another kneeling and kissing her Grace.⁸⁹

And after that the Bishop began the Masse, the Queens Matie having the Scepter in the right hand and the world [i.e. orb] in the left hand, the Epistell red first in Latyn, and after that in English. And after that, the Bishop brought her grace the Gospell, which also was red first in Latyn and after in English, and she kissed the wordes of the Gospell. And immediately after her Matie went to the offering. And before her Grace was borne iii naked swordes, and a sword in the scabbard. And her Grace kneelyng before the Aulter and kissed the Patyn, and offered certain money into the Bassyn. And than and there was red to her Grace certaine wordes. And then her Grace returned into her Clossett hearing the Consecration of the Mass and her Grace kissed the pax.

⁸⁸ The orb.

⁸⁹ The homaging at Elizabeth's coronation is of special interest, because it illustrates her attitude to the bishops. According to the prescribed ritual the ceremony was performed as follows (*Engl. Coron. Rec.* p. lv): The archbishops and bishops knelt, and the archbishop of Canterbury did fealty (the term used for the homaging of bishops) in the name of himself and his brethren; he and the other bishops then rose and kissed the king's left cheek. Then followed the homage of the peers. The noticeable point is that the bishops took precedence of the temporal peers (*ibid.* p. lv). This ritual was probably observed at the coronations of Henry VII (*ibid.* p. 234) and Henry VIII (Cotton MS. Tib. E. viii.) At the coronation of Edward VI an important innovation was introduced. The Protector (duke of Somerset) did homage first of all, then the archbishop of Canterbury, and then the peers and bishops, no distinction being made between lords spiritual and lords temporal. They all kneeled down together and the Protector 'declared their homage in general' (Leland, *Coll.* iv. 327). At Mary's coronation, as might be expected, the prescribed order was carefully observed, the bishops doing homage before the temporal peers (MS. College of Arms, I 7, p. 71). Coming now to Elizabeth's coronation, the English report, read with the herald's report, enables us to reconstitute the homaging. The bishop (presumably Oglethorpe) did homage first of all. This part of the ceremony is not mentioned in the herald's report, but the English report is so explicit that it may be accepted as correct. The words 'put his hand to the Quenes hand' describe the distinctive attitude of homage (*Engl. Coron. Rec.* p. lvi). So far Elizabeth followed the prescribed order. But at the next stage she departed from it, since the temporal peers did homage before their spiritual brethren. In this change we see a reversion to the precedent of Edward VI and an indication of hostility to the claims of the church. The statement in the herald's report that the bishops did homage 'their Myter of' is also worthy of notice. I have not found it in the account of any other coronation.

Another small fragment of information illustrating Elizabeth's treatment of the bishops perhaps deserves to be recorded. At Mary's coronation each of the bishops was allowed ten yards of scarlet, presumably for a robe (Lord Chamberlain's Records, vol. 792, pp. 200, 208). When Elizabeth was crowned a similar allowance was made, but only to one bishop, Oglethorpe of Carlisle, the bishop who crowned her (Coronation Accounts, p. 138).

And when Masse was done her Grace removed behind the high Aulter,
 and than and there her Matie changed her apparrell.
 And so her Matie was conducted from the Abby to West-
 minster Hall and there dined.

The
revesting
The
conclusion

II. THE HERALD'S REPORT.

Fragment in College of Arms (MS. WY, p. 197).

Was crowned with 8 crowns the Trumpets blowing at ech and then she kissed the Aulter and returned and had sayd onto her certein orisons and had given her the Sceptre in her Right hand and the Ball in her left hand and so under the Canopie proceeded to the Throne (the Lord Steward caryng the Sword which was then he gave it the Lord Cobham) whereare shee receyved the homage the Dukes, Marquesses, Earls, Viscounts and Barons kissing her cheeke and one speaking for the whole. Then the Bp which expressed it in the name of the rest, and the other kissed after their Myter of.

Then the masse began by the Deane she siting still till the offering she went and kissed the patent and had a Collect said over her and went to her traverse and the masse proceeds and ended the Queene went into Snt Edwards Chapelle to shift her, then came forth in a Riche Mantell and Sircoate of purple velvet furred with Ermines.

III. THE ITALIAN REPORT.

On Sunday, 15 January, mass was sung for the coronation in Westminster Abbey, which was decorated with the handsomest and most precious tapestries that were ever seen, they having been purchased by Henry VIII, representing on one side the whole of Genesis, and on the other the Acts of the Apostles, from a design by Raffael d'Urbino; and the chambers were hung with the history of Caesar and Pompey. At one of the sides the buffet⁹⁰ was prepared with its raised steps, on which were seen 140 gold and silver drinking cups, besides others which were below for the service.

The queen was received under the canopy by the archbishop and another bishop, they having previously perfumed her with incense, giving her the holy water⁹¹ and the pax,⁹² the choristers singing; then the earl of Rutland⁹³ followed her

Intro-
ductory

The cere-
mony in
Westminster
Hall

⁹⁰ In Westminster Hall.

⁹¹ Mary was censed and sprinkled with holy water in Westminster Hall (MS. in College of Arms, I 7, p. 69). It is probable that the same ritual was observed with Elizabeth.

⁹² See p. 658, note 25. The giving of the pax was a part of the mass. It cannot have been given to Elizabeth in Westminster Hall.

⁹³ According to the order of procession given here the queen led the way and was followed by the peers carrying the regalia. This is wrong. According to the prescribed order the procession preceded the king, the lowest in rank heading it and the highest in rank coming immediately before the king. This was the arrangement both at Mary's (MS. College of Arms, I 7, pp. 68 r, 69) and Elizabeth's coronations (Lord Chamberlain's Records, vol. 792, p. 166).

majesty with a plain naked sword without any point,⁹⁴ signifying Ireland, which has never been conquered; then came the earl of Exeter⁹⁵ with the second sword; the third was borne by Viscount Montagu;⁹⁶ the earl of Arundel,⁹⁷ having been made lord steward and high constable for that day, carried the fourth sword [of justice] with its gilt scabbard loaded with pearls. The orb was carried by the duke of Norfolk,⁹⁸ lord marshal, and in advance were knights clad in the ducal fashion, carrying the three crowns, they being the three kings-at-arms; they bore the three sceptres, with their three crowns of iron, of silver, and of gold on their heads, and in their hands three naked iron swords, signifying the three titles of England, France, and Ireland.⁹⁹

In this way they proceeded to the church, the queen's long train being carried by the duchess of Norfolk,¹⁰⁰ after whom followed the lord chamberlain,¹⁰¹ upon purple cloth spread on the ground, and as her majesty passed the cloth¹⁰² was cut away by those who could get it. Then followed the duchesses, marchionesses, countesses, &c., dragging their trains after them, going two by two, and being exquisitely dressed, with their coronets¹⁰³ on their heads, and so handsome and beautiful that it was a marvellous sight.

⁹⁴ The sword without the point was called Curtana (*Engl. Coron. Rec.* p. xxv). There is no authority—at any rate I have found none—for the remark that Curtana represented Ireland. At Elizabeth's coronation Curtana was carried by the earl of Derby, who had carried it at Mary's coronation also. Rutland carried the second sword.

⁹⁵ Exeter is no doubt a mistake for Worcester. There was no peer bearing the title of earl of Exeter in Elizabeth's reign. The earl of Worcester carried the third sword at Elizabeth's coronation.

⁹⁶ Viscount Montagu did not carry a sword or any other of the regalia. The fourth sword, or sword of estate, was borne by the earl of Westmorland. At Mary's coronation Westmorland carried one of the other swords.

⁹⁷ The earl of Arundel bore the rod (sceptre), not a sword. He bore the rod at Mary's coronation also. He is correctly described as lord steward and high constable.

⁹⁸ Norfolk bore the crown, not the orb. His grandfather had borne the crown at Mary's coronation. The orb was carried by the marquess of Winchester, lord treasurer, who bore it at Mary's coronation also.

⁹⁹ The three kings-of-arms were Garter, Clarencieux, and Norroy. Their insignia of office included, *inter alia*, crowns of gold, silver, or copper gilt. They carried wands of silver gilt, not swords. They did not carry the crowns, i.e. those with which Elizabeth was crowned. They carried nothing, so far as I have been able to discover, signifying the royal titles. (See Jones, *Crowns and Coronations*, 1898, p. 479, and *Notes and Queries*, 7th series, viii. 491.)

¹⁰⁰ The train was carried by the countess of Lennox, who was given the place of honour, it may be presumed, as Elizabeth's first cousin on the Tudor side.

¹⁰¹ This is correct. The lord chamberlain (Lord Howard of Effingham) helped the countess of Lennox to hold up the train.

¹⁰² This seems to have been the custom at coronations (cf. *Engl. Coron. Rec.* p. xxv, and Leland, *Collectanea*, iv. 228).

¹⁰³ According to the prescribed order peeresses held their coronets in their hands till the queen was crowned (*Engl. Coron. Rec.* pp. xlvii, lviii, 333). There is no reason to suppose that this rule was departed from at Elizabeth's coronation. The order of procession does not mention peeresses, but it directs that peers shall carry their coronets in their hands. The report of Mary's coronation especially notes that peers are not to put on their coronets until she is crowned (MS. College of Arms, I 7).

On her majesty's arrival at the church, all the bells in London ringing, she ascended the lofty tribune erected between the high altar and the choir, being thus exhibited to the people, of whom it was asked if they wished her to be their crowned queen; whereupon they all shouted 'Yes;' and the organs, fifes, trumpets, and drums playing, the bells also ringing, it seemed as if the world were come to an end. Descending from the tribune the queen placed herself under her royal canopy.

And then the choristers commenced the mass, which was sung by the dean of her chapel, her chaplain, the bishops not having chosen to say mass without elevating the host or consecrating it, as that worthy individual did; the epistle and gospel being recited in English.

After the epistle the bishop of Carlisle commenced the coronation, according to the Roman ceremonial, neither altering nor omitting anything but the outward forms, which were not observed as in Italy, the English having no masters of the ceremonies, except the kings-at-arms, and still less caring about formalities.

The mass and all the ceremonies being concluded, and the queen having twice changed her apparel, they returned into Westminster Hall in the same order as the first, except that the clergy and bishops remained in the Abbey, her majesty carrying in her hands the sceptre and orb and the ample royal robe of cloth of gold. She returned very cheerfully, with a most smiling countenance for every one, giving them all a thousand greetings, so that, in my opinion, she exceeded the bounds of gravity and decorum.

The Capture of New Amsterdam

HISTORICAL writers have condemned the English for the capture of New Amsterdam, on the grounds that the seizure occurred at a time of profound peace and that England robbed Holland of New Netherlands.¹ Without proposing to clear the English of all blame in the matter it may be suggested that the verdict needs further consideration.

The fruits of the victory over the Armada did not fall exclusively to the English. While the political and religious struggle in England during the first half of the seventeenth century made an aggressive commercial policy impossible, the Dutch were more and more securing control of the trade with the New World and the Further East, and by the middle of the century were the recognised carriers of Europe. It was not until the triumphant puritans had been compelled to create a navy, in order to clear the seas of royalist privateers, that England was in a position to dispute the commercial and maritime supremacy of Holland. But the war which began in 1652 between the Commonwealth and the United Provinces did not arise primarily from competition in the field of trade. It was due first of all to the failure of the English embassy to secure an alliance of the two republics, and secondly to the right of English privateers, which had obtained letters of marque and reprisal, to bring into English ports Dutch vessels suspected of carrying French goods. The Plantagenet claim that the English, as the rulers of the narrow seas, should be honoured by the dipping of the flag of foreign shipping was also a disturbing factor. The Navigation Act had been passed at a moment of irritation against the Dutch, and thus was indicative of the growing estrangement of the two powers rather than a direct cause of the war. 'We are about to attack a mountain of iron,' said a Hollander as he thought of the struggle, 'while the English will attack a mountain of gold.'² The war revealed to England the vulnerable character of Holland's

¹ Broadhead, *History of the State of New York*, i. 735; Winsor, *Narrative and Critical History of America*, iv. 407; Andrews, *Colonial Self-Government*, p. 80.

² Aitzema, *Saken van Staat en Oorlogh*, iii. 721.

naval supremacy and the value of her trade, and at its close in 1654 the current of English life was so strongly in favour of commercial development that Cromwell would not include the repeal of the Navigation Act in the terms of the treaty of peace. The national antagonism which had been engendered by the war was perpetuated by the determination of the Protector to insist on the observance of its provisions.

After the treaty, but before the end of the year 1654, two Dutch ships had been seized by an English man-of-war for carrying prohibited goods to England,³ and in January 1655 the expedition to the West Indies under Penn and Venables arrived at Barbadoes and seized fifteen Dutch vessels which were trading contrary to the Act.⁴ The infringement of the Navigation Act by the Dutch was made all the more easy because English customs officers conspired with the Dutch to break the law. In 1657 the Greenland Company complained to the Protector that whale and fish oil and fins had been imported in large quantities through the venality of the customs officers, and requested an order to stop the abuse.⁵ Fraser Ash, governor of the Muscovy Company, informed the Protector in October 1657 that his company was on the point of losing its trade in oil and fins because of the success of the Dutch in evading the Navigation Act.⁶ In May 1658 a petition was presented to the Protector, signed by more than a hundred ship captains in and about London, complaining that the Navigation Act had been broken, that many English ships had been laid aside, and that trade was chiefly carried on in foreign-built ships navigated by strangers.

The Dutch eat us out of our trade at home and abroad; they refuse to sell us a hogshead of water to refresh us at sea, and call us 'English Dogs,' which doth much grieve our English spirits. They will not sail with us, but shoot at us, and by indirect courses bring their goods into our ports, which wrongs not only us but you in your customs.⁷

The Dutch navy even had a share in the illicit trade; landing below Gravesend, they discharged their goods, and the English customs officers were not permitted by the Dutch to interfere.⁸ On the other side Hollanders who had not broken the Navigation Act found that their ships might be taken by the English. On 9 February 1655 a Dutch ship of Edam, while at anchor under Portland Castle, was seized by an English privateer. On 3 May

³ *Calendar of State Papers, Dom.*, 1654, xci. 89.

⁴ *Ibid.* 1655, xcvii. 63, 108; Col. 1574-1660, xii. 49; America and West Indies, sec. 213.

⁵ *Ibid.*, Dom., 1656-7, cliii. 118.

⁶ *Ibid.* 1657, clvii. 57.

⁷ *Ibid.* 1658-9, clxxxi. 14.

⁸ *Ibid.* 1659-60, cciv. 12.

the council ordered that the ship should be returned to her owner, because she was laden with merchandise for persons in Holland; but by 31 May the order had not been executed, for on that date the owners presented their claims through Nieupoort to the Protector.⁹ The case of the Edam ship did not stand by itself; from time to time the Dutch ambassador presented the claims of the Dutch who had lost vessels at sea captured by the English.¹⁰

The treaty of 1654 had provided that all ships of the United Provinces should strike their flags and lower their topsails whenever they met any vessels of the Commonwealth. On 30 July, the treaty having been signed on 5 April, Captain William Cochraine, of the British navy, in command of the 'Old Warwick,' met a fleet of Dutch merchantmen off the Lizard, convoyed by a Dutch man-of-war. The merchantmen struck their topsails, but the man-of-war refused to do so. On 7 August Captain Cochraine also met twenty-six Dutch merchantmen bound for the Mediterranean, and, as they did not strike their colours, fired thirty guns among them before they submitted.¹¹ On 26 November 1657 Admiral Opdam, with a fleet of about thirty sail, came in near Dover and struck his flag to the castle and the English man-of-war 'London;' the Dutch vice- and rear-admirals followed suit. But afterwards the Dutch fleet met two vessels of the English navy, to which they were unwilling to strike; and when told that the English ships would sink by his side unless they did so the Dutch admiral 'caused his flag to be furled in a great rage and so kept it until he was out of sight of the ships.'¹² In December 1657 Robert Vessey, captain of the English man-of-war 'Constant Warwick,' while cruising off the coast of France to protect English merchantmen, was forced by stress of weather to put into St. Martins in the Isle of Rhé. There he says that he

was much affronted by three Holland men-of-war, who wore their flags and caused their merchantmen to do the like, to the disgrace of our nation. At their going out I weighed after them, and when in the road fired twice at their flag, when the admiral replied; had not night prevented I had resolved to sink by their sides rather than they should have continued in their pride, my men being all free to lose their lives rather than suffer abuse.¹³

When war broke out between England and Spain in 1655, it was not surprising that the Dutch accepted Spanish commissions, which, in accordance with the international law of the time, permitted them to prey upon English commerce without giving

⁹ *Calendar of State Papers, Dom.*, 1655, xcvi. 7, 20; xcvi. 108.

¹⁰ *Ibid.* 1655, xcvi. 7; xcvi. 181.

¹¹ *Ibid.* 1654, lxxiv. 39.

¹² *Ibid.* 1657-8, clvii. 153, 154.

¹³ *Ibid.* 1657-8, clviii. 3.

England grounds for war against Holland. Holland too was the source of the Spanish ship supply, and Dutch ships flying Spanish colours were found in the Spanish service. In 1659 Captain Marvin, of the English merchantman 'Recovery,' homeward-bound in the Mediterranean, was attacked a few leagues off Leghorn by three Spanish vessels from Sardinia. In the engagement which followed he was able not only to beat off the attack of the Spaniards but also to capture one of their vessels. The ship proved to be Dutch-built and commanded by a Dutch captain whose father was part owner.¹⁴ In a similar manner Englishmen took advantage of the war between Sweden and Denmark, in which Holland supported the Danes, to accept Swedish commissions against the Dutch. The Protector issued orders to prevent the capture of Dutch vessels; but opposition to Holland and English commercial interests in the Baltic were so great that vessel after vessel belonging to the Dutch was brought into English ports by English privateers.¹⁵ Public opinion in Holland was very bitter against the English. Secretary Thurloe was informed by his agents on the continent that the exiled royalists were looking for a rupture of the peace between England and Holland and that the 'Zealanders are mad for war.'¹⁶ At the close of the revolutionary period Dutch-English antagonism, engendered by the war of 1652, had in no way been allayed. The infringement of the Navigation Act by the Dutch and the question of the flag had continued the national opposition in a time of peace, and had led the Hollanders to assist Spain against England and the English to enter the northern war in opposition to the Dutch.

The early years of the Restoration promised a change for the better. Nowhere was Charles II more cordially congratulated on the change in his fortunes than by the authorities of the United Provinces. At Breda, and later at the Hague, where he was the guest of the states-general, he was assured by De Witt of the friendship of the republic and offered an alliance for the promotion of their mutual interests. The English king expressed himself as more favourably inclined towards the republic than any of his predecessors had been, and as desirous of entering into such an agreement.¹⁷ Immediately after his departure for England Beverweert was sent after him to maintain the good understanding, and was able to report that the duke of York, Clarendon, Monck, and Ormond were all in favour of the alliance.¹⁸

The situation however was not without its difficulties. Before

¹⁴ *Calendar of State Papers, Dom.*, 1658-9, ccii. 58, 78.

¹⁵ *Ibid.* 1659-60, ccix. 45.

¹⁶ *Ibid.* 1656-7, cliii. 249; ccix. 11.

¹⁷ N. Japikse, *De Verwickelingen tusschen de Republiek en Engeland*, 1660-5, pp. 5, 7.

¹⁸ *Ibid.* p. 45.

the prorogation of parliament in September 1660 the annual income of the king had been fixed at twelve hundred thousand pounds,¹⁹ and, as that sum was not sufficient to pay the current expenses of the government and to support the court,²⁰ Charles applied to Holland for the loan of two million gulden. Without doubt the loan would have been made had it not been that just at this time the passing of the Navigation Act raised the question of the commercial relations of the two powers. The new act was based upon the law of 1651, but, since that act had been broken more on the colonial than on the European side, the new measure prohibited all trade with the colonies except in English ships.²¹ If enforced it would strike a severe blow at Dutch commerce, and De Witt informed the English king that the feeling aroused by the passing of the bill was such that the money could not be raised, and the loan therefore must be temporarily refused. The matter never came up again, and Charles soon learned to look elsewhere for financial aid.²²

If the refusal of the loan was caused by the rival commercial interests of the two powers, it seemed to indicate that the conclusion of an alliance would be no easy matter. On 25 October 1660 the Dutch ambassadors arrived, with instructions based upon the 'Magnus Intercursus' of 1496. These instructions guaranteed to the inhabitants of the two countries free trade and equal fishing rights. In case of attack each power was to assist the other with men or money. An alliance with England on such a basis involved the repeal of the Navigation Act and with it the abolition of the whole system of protection whereby the trade of England was to have been encouraged. In their first letter to the states-general the ambassadors wrote that the king was in favour of the alliance, that parliament was not against it, but that the repeal of the Navigation Act could not be secured.²³ In another way the attitude of parliament was not encouraging. In December a bill had been introduced into the commons for the encouragement of the fisheries of the kingdom, which prohibited the Dutch from fishing on the English coast, throwing 60,000 inhabitants of the republic out of employment.²⁴ The ambassadors appealed to the king, to Clarendon, and to Ormond against this bill. Ormond promised to oppose the bill in the upper house, but that was not necessary, because parliament was dissolved on 29 December,²⁵ two days after the bill had passed the third reading in the commons. Meanwhile the alarm at the Hague was very great. The states-general

¹⁹ *Commons' Journals*, viii. 150.

²⁰ *Calendar of Treasury Books*, 1660-7, i. xx.

²¹ Statute of 12 Charles II, c. 18.

²² *Ibid.* pp. 66, 69.

²³ *Commons' Journals*, viii. 203, 228.

²⁴ Japikse, p. 56.

²⁵ *Lords' Journals*, xi. 239.

resolved to inform Charles II that the republic was ready to defend the Dutch fishermen, if necessary, with the Dutch fleet; but news having arrived of the dissolution of parliament, the letter was not sent.²⁶

Whatever may have been the attitude of Charles and his advisers, public opinion, as expressed in the lower house, was opposed to the commercial interests of the United Provinces, and the same feeling appeared when the discussion of the articles proposed by their ambassadors began in December. The English commissioners objected to the article providing for the mutual defence of the two countries, because England as the greater power would be compelled to give disproportionate assistance in case of war. They also objected to the articles dealing with contraband goods, the most favoured nation clause, and the granting of letters of reprisal. But the greatest difficulty was the Navigation Act, the repeal of which in the present temper of the nation could not be effected. The negotiations revealed the divergent interests of the two powers. The republic desired to maintain her commercial position by trading freely with all the world, while England hoped to develop her commerce by a system of rigid monopoly.²⁷ In February 1661 it was apparent that the articles of the ambassadors could not be accepted, and in March the English commissioners made counter-proposals. They were willing to form an alliance which would guarantee the English in the possession of Dunkirk, but which would not give the republic any advantages in trade. The ambassadors had no power to treat on such a question and asked for further instructions. In April they were authorised to negotiate a treaty of peace only, and the alliance was, therefore, recognised as impossible.²⁸ The hopes which had been freely expressed less than a year before, that a close union of the two protestant powers might be made for mutual defence and for the promotion of mutual interests, had been shattered in consequence of the rivalry of the countries in the field of trade.

In the following summer Charles determined to accept the proffered alliance of Portugal, and desired, therefore, to see peace established between that country and the United Provinces. He offered his services to De Witt, and when the offer was accepted sent Sir George Downing to the Hague to act as intermediary. Downing arrived in June and took an active part in the negotiations between Miranda, the Portuguese ambassador, and De Witt. But from the moment of his arrival he acted on the supposition that the terms of the proposed treaty between the two countries were adverse to the interests of England, and asked Miranda to sign no treaty without the consent of the English king. His suspicions

²⁶ Japikse, pp. 72, 74.

²⁷ *Ibid.* p. 81.

²⁸ *Ibid.* p. 99.

were well founded. The treaty provided that the inhabitants of the republic should have the preference in the sale of the salt of Setuval as well as all trading privileges granted to the English. In both respects the treaty ran counter to that between Cromwell and Portugal.²⁹ Downing did not know that these two provisions were in the proposed treaty between England and Portugal, but he suspected that they were, and for the wily diplomatist that was sufficient. He opposed the treaty with all his power.³⁰ The Portuguese ambassador found himself in an embarrassing situation. On the one hand Downing urged him not to sign without the consent of the English king, and Charles himself wrote to Miranda expressing his dissatisfaction with the treaty. On the other hand Miranda's instructions were to conclude the treaty with all possible haste, and De Witt threatened to break off negotiations if ratification were delayed. Miranda proposed that the treaty should be signed with a proviso that compensation should be given to England in case it contained terms contrary to the treaty between England and Portugal. Finally, without securing the consent of England, as Downing desired, the treaty was signed on 27 July 1661.³¹

The commercial antagonism between England and the United Provinces had prevented the formation of an alliance of the two countries, and had caused Downing to oppose the conclusion of a treaty between the republic and Portugal. The relations of the two maritime powers in the summer of 1661 were, therefore, far from friendly. Although the feeling in England against the republic was in some quarters intense the statesmen of the Restoration could not seriously resolve on making war against the small but powerful neighbour across the Channel. England was without a strong ally on the continent; there was no money in the treasury, no munitions of war; and, worst of all, according to Clarendon, commerce languished. Peace was needed, especially for trade.³² In the republic the conditions were reversed: the fleet was in good order, new ships were building, the magazines were full, and commerce was flourishing. Yet no more than England could the Dutch afford to risk the hazard of war. France could not be depended upon, and the time had not come for association with Spain; moreover the commercial loss of the war with the Commonwealth was not forgotten. If the commercial interests of the two powers had prevented the formation of an alliance, possibly that same interest might induce them to conclude a treaty of peace.

In July 1661 the English commissioners proposed the terms of such a treaty. These terms were partly taken from the treaty

²⁹ Lister, *Life of Clarendon*, iii. 184, 187.

³¹ *Ibid.* p. 125.

³⁰ Japikse, p. 121.

³² Lister, iii. 168, 170.

of 1654 between the two states and partly consisted of new propositions. Of the latter the most important was one which provided for the creation of a commission to settle all disputes between the two countries; others required that the judges of Charles I should be surrendered, that justice be done for the Amboyna outrage, and that in case of a denial of justice letters of reprisal should be issued. The ambassadors accepted the draft, but objected to the additional articles. The question of the regicides must be treated separately, and they expressed their astonishment at the revival of the Amboyna question, which they supposed had been finally settled in 1654.³³ But the article providing for the establishment of a commission required time for consideration, and it was not until September that the ambassadors were ready to report, and then they objected to the settlement of claims in that way. Charles replied that he was willing to extinguish all claims in India before 10 January 1659, if claims after that time could be determined by commissioners.³⁴ This proposition was reported to De Witt, and the states-general accepted the principle of mutual extinction of claims before 1659, but did not commit themselves to the appointment of a commission to settle disputes after that date. The states preferred that the governments should attempt a settlement and in the event of failure that the subjects in dispute should be determined either by the regular judges or by commissioners, according to the nature of the case.³⁵

While the two powers seemed unable to agree upon the question of the commission other matters arose which impeded the conclusion of a treaty. Captain Bankert, of Zeeland, had taken an English caper on the grounds that the vessel had a Portuguese commission, and the king's council ordered the seizure of the largest Dutch man-of-war in an English port. The ship of Captain Block, which was lying at Gravesend, was seized, and not released until the ambassadors assured the king that justice should be done.³⁶ At the same time arose the question of the two ships 'Experience' and 'Charles,' English vessels taken by the Netherlands in 1660. In both cases the ships had been confiscated by the admiralty of Amsterdam for having attacked Dutch vessels. Downing desired to have the matter settled by commissioners; and in the case of the 'Experience' this desire was granted, but the commissioners soon ceased to meet because of a dispute on a question of ceremony. In the case of the 'Charles' the admiralty of Amsterdam was merely ordered to make an investigation.³⁷ The failure of the republic to satisfy the claims of the English owners caused so much irritation in England that, as Clarendon assured the

³³ Japikse, pp. 110, 111, 163.

³⁴ *Ibid.* p. 169.

³⁵ *Ibid.* p. 174.

³⁶ *Ibid.* p. 170.

³⁷ *Ibid.* p. 177.

ambassadors, he had great difficulty in preventing the council from authorising the issue of letters of reprisal.³⁸

But in the spring of 1662 the states performed a service for Charles II which tended to some extent to counteract the effect of these incidents. The regicides had been excepted from the bill of amnesty which had been passed in the summer of 1660.³⁹ Some had been taken; others were in hiding in the republic. Since the passing of the bill attempts had been made to secure the latter, but without avail, because it seemed impossible to obtain an order for their arrest without at the same time giving them notice of the impending action. The regicides spent much time in Rotterdam, and it was possibly the municipal authorities who warned them of their danger. At last Downing bribed a certain Abraham Kicke, who was entrusted with the correspondence of the fugitives, to assist him in capturing them. Okey, Barkstead, and Corbet went to Delft in March 1662, and Downing hastened to take advantage of his opportunity. He secured an order from De Witt for the arrest of these men, and with a few English officers arrested them at the house of Kicke. Yet the municipality of Delft would not permit the prisoners to be removed from its jurisdiction until Downing had obtained an order from De Witt for their extradition; and then, not without danger of rescue from the sympathetic Hollanders, the men were conveyed to the coast and thence to England.⁴⁰

While this act of De Witt caused great dissatisfaction in parts of Holland it had the desired result in England. Charles II received the Dutch ambassadors with every mark of favour and wrote a letter of thanks to the states-general.⁴¹ It was of greater importance that the king and Clarendon showed themselves more compliant in regard to the treaty of friendship. They accepted the propositions of the states that some time should elapse before the appointment of commissioners, so as to permit of the settlement of disputes by the two governments, but they considered a year too long. On another question England increased her demands. The year 1659 had been agreed upon as marking the limit before which all claims in India should be abandoned, and the republic expected that the same year would be chosen as a bar on claims for damages done in Europe. But the English commissioner now proposed 4 March 1654 as the date, and the month of June 1662 was spent in fruitless discussion of the question. In the same month all ships of the United Provinces in English ports were seized by order of the admiralty on request of an agent of the Knights of Malta, who advanced the twenty-third article of the Union of

³⁸ Japikse, p. 177.

³⁹ Japikse, pp. 194, 197.

⁴⁰ Statute of 12 Charles II, c. 11.

⁴¹ *Ibid.* p. 198.

Utrecht as the ground of his action. The ambassadors at once protested, assuring Clarendon that the order of Malta was not a member of the Union, and that, therefore, the law did not apply. Clarendon convinced the ambassadors that the affair would adjust itself, but great indignation was expressed at the Hague at what had happened. The seizure was considered as equivalent to an act of war, and the states demanded that the vessels should be released immediately and that the admiralty should be censured. The English government complied with the demands; and Charles II assured the ambassadors of his personal indignation at the seizure.⁴²

But at the same time the king demanded a speedy answer on the question of the *terminus a quo*, and gave an order for the building of twenty ships. De Witt was in favour of recalling the ambassadors, but he was supported by three provinces only; even Holland, when the estates of the province met in July, voted to yield to England on the point, and a few days later the states-general passed a similar resolution. For a moment however the question of the ships 'Bona Esperanza' and 'Bona Ventura,' which had been taken at a much earlier date, threatened to prevent a settlement, but in the end in this matter also the republic yielded, and consented to the exclusion of the two vessels from the treaty. Unfortunately it was not clearly understood how the claims of the English owners should be settled.⁴³ The treaty was signed on 4 September 1662.⁴⁴ Thus the hopes expressed in May 1660 had not been fulfilled. The proposed alliance of England and the republic was seen to be impossible as soon as the negotiations revealed the widely divergent policies of the two powers, and it was not until after more than a year of tedious negotiation that a treaty of friendship was concluded, which provided merely for the settlement of controverted questions. The result did not augur well for the future.

While in Europe diplomatists were attempting to adjust all difficulties between the two powers, abroad, especially on the coast of Africa, new controversies were arising, which would tax to the utmost the ability of statesmen to maintain peace. The Navigation Act prohibited all trade with the colonies except in English ships, and Englishmen thus fortified prepared to enter a field in which they were comparative strangers. The transportation of slaves to the New World was chiefly in the hands of the Dutch. An English African company had been formed in 1618 and reorganised in 1681, but its purpose had been to deal in the material products of Africa.⁴⁵ Cormantin and the river Cerberos, near Sierra Leone,

⁴² Japikse, pp. 208-9.

⁴³ *Ibid.* p. 223.

⁴⁴ Dumont, *Corps Diplomatique*, xii. 422.

⁴⁵ *Calendar of State Papers*, Col., 1574-1680, secs. 20, 75.

were the chief factories; but there were other trading points, particularly at the mouth of the Gambia, from which the servants of the company were driven by Rupert in alliance with the Portuguese in 1652.⁴⁶ In the same year Cromwell sent a frigate to Africa to protect other ports from the attacks of the Dutch; but with what success is not known, for all evidences of English activity on the coast disappeared until the Restoration, when the Navigation Act, giving to the English a monopoly of the slave trade with their colonies, turned anew the attention of English merchants to the African trade. In November 1660 the earl of Marlborough proposed to make Jamaica the West Indian market for the sale of 'blacks;' and a month later, on 18 December, Charles II issued a charter establishing the Royal African Company, and gave to its members a monopoly of the slave trade with the English colonies.⁴⁷ The mission of Sir Robert Holmes to Africa in January 1661 was doubtless to look after the interests of the new company. On his arrival at the mouth of the Gambia in March he captured the islands from which the English had been driven in 1652, and of which the Dutch West India Company had since held undisputed possession.⁴⁸ The United Provinces made haste to protest against the seizure, and Charles II admitted that Holmes had acted beyond his powers and promised that justice should be done. When Holmes returned to England however, the king seemed to have forgotten his promise;⁴⁹ and it was not surprising that the Dutch should seek to readjust matters themselves. In December 1661 an attempt was made by the natives, supported by the Dutch, to drive the English from the Gambia islands; and the natives afterwards testified that they had been persuaded by the Dutch to declare war. The English were able to hold their ground.⁵⁰ In the same year also the 'Merchant's Delight,' on a trading voyage to the Guinea coast, was seized by the 'Amsterdam,' belonging to the Dutch West India Company; the ship and goods were confiscated, and the English, after six weeks' imprisonment in a Dutch African factory, were turned out to shift for themselves.⁵¹

The year 1662 opened with renewed activity; the company had secured additional ships for the African trade and now undertook to deliver negroes in the West Indies.⁵² When however the frigates 'James' and 'Charles' appeared off Comendo, an unoccupied port on the Guinea coast, the captain of the 'Golden Lion,' a Dutch man-of-war, would not permit the English to trade. The frigates then proceeded to Cape Corso, where an attempt was made to lay in a cargo of slaves. But the 'Golden Lion' had

⁴⁶ *Calendar of State Papers*, Col., 1574-1660, sec. 383. ⁴⁷ *Ibid.* 1661-8, sec. 408.

⁴⁸ *Ibid.* secs. 316, 338; *ibid.* 1574-1660, sec. 883.

⁴⁹ *Ibid.* 1661-8, sec. 177.

⁵⁰ *Ibid.* sec. 205.

⁵¹ *Ibid.* secs. 304, 747.

⁵² *Ibid.* secs. 206, 287.

followed, and at the command of the captain the boats and goods of the English were seized and the men imprisoned.⁵³ The presentation of a remonstrance secured their release, but with the threat that, if the English should attempt to go ashore, they would all be taken to the Dutch governor as prisoners. At Tacorady and at Cabaca the English under the company's agent, Francis Selwyn, erected factories, but the Dutch laid claim to the places and attempted to expel the English by a trade blockade. When this failed John Valckenburg, director-general of the Dutch company, sent a protest to the English at Cormantin, claiming a monopoly of the trade of the coast and demanding the abandonment of Tacorady and Cabaca. If the English would not yield to reasonable representations they would be forced to remove the factories.⁵⁴ But Selwyn would not admit that he had no right to erect factories at unoccupied points on the coast, and this position was taken by the king. In August 1663 Charles II, through Sir George Downing, demanded the abandonment by the Dutch of the principle of monopoly, as well as reparation for the injuries which had been done to English merchants.⁵⁵ Such claims however the Dutch would not admit. Their action was not prompted solely by hostility to England; it was based, as they believed, on positive right. In the struggle for religious freedom Holland had won from Spain political independence in Europe and from Portugal control of the commerce of Africa. No interloper had disturbed the Portuguese; none should now disturb the Dutch. They opposed, therefore, to the claim of ownership, based upon occupation, that of commercial monopoly, founded upon conquest, and the victory of the one principle over the other would depend upon the strength which the supporters of each could bring into the field.

It was the dispute over the ships 'Charles' and 'James' which changed the relations of the two powers for the worse. During the spring and summer of 1663 there seems to have been no thought of a rupture with the republic, although new questions, such as the capture of the 'Oranjeboom' by an English caper, showed that the rivalry of the two powers was as keen as ever. But in the autumn Petrus Cunaeus, secretary to the ambassadors, who had remained in England after the departure of his masters, was informed by Secretary Morrice that in the future no communication from him would be received in the council. This change in attitude towards the representative of the republic was due, Clarendon said, to Downing's failure to secure the settlement of the principles involved in the case of these two ships.⁵⁶ This affair and the dispute regarding Tacorady and Cabaca illustrate the situation on the coast during 1662. Dutch opposition had been so great that the

⁵³ *Calendar of State Papers*, Col., 1574-1660, sec. 383.

⁵⁴ *Ibid.* secs. 467, 606.

⁵⁵ *Ibid.* sec. 545.

⁵⁶ Japikse, p. 271.

Royal African Company was in financial distress; indeed, it was on the verge of bankruptcy. Not for a moment however did the promoters of the company intend to abandon their commercial enterprise. They determined rather to redouble their efforts. The stock of the company was valued at only one tenth of its nominal value, and the additional capital that was necessary to carry on the trade could be secured only by the issue of more stock. The company was therefore reorganised on a new basis; additional stock to the value of eighty-four thousand pounds was issued, and the old stockholders were given stock in the new company equal to one tenth of their old holdings. Creditors of the old company received one third of their dues in cash and the remainder in old stock; if they did not care to accept the offer they might have the assets of the late company. Six places on the African coast were chosen for the factories of the new company, the chief centre being Cape Corso, where the Dutch had not permitted the English to trade. The place was to be made secure by the establishment of a garrison of fifty English soldiers and thirty negro slaves; the other places were also to be fortified. Thus the second Royal African Company was launched on 10 January 1668.⁵⁷

In the early summer of 1668 the ships of the new company arrived upon the coast, and the English undertook to erect the factories at Comendo, Anashan, and the other points which had been selected for the trade in negroes. But the Dutch were as determined as ever. The factor for Comendo was told by the officials of a Dutch man-of-war that the English should not land, and when the natives came out in their canoes to trade with the English they were fired upon by the Dutch. The natives succeeded in fastening a few canoes to the English ship, but they were cut loose by the Dutch and an English seaman who interfered was wounded. At Anashan the English were not permitted to land; at Ardra the Dutch so intimidated the natives that they would not trade; Cape Corso, which was to have been the chief factory, with a garrison of eighty, was taken by the Dutch, and Cormantin was saved by the arrival of English men-of-war under Captain Stokes.⁵⁸ Thus the year 1668 had been as disastrous for the new company as the year 1662 had been for the old one. Reorganisation had been in vain. The merchants who had entered the African trade so eagerly at the Restoration discovered that it mattered little whether the Dutch were in actual possession of points on the African coast or not; they claimed the whole coast as theirs and were ready to prohibit English trade by force of arms. In a statement to the king at the close of the year the Royal African Company admitted that the

⁵⁷ *Calendar of State Papers*, Col., 1661-8, secs. 407, 408.

⁵⁸ *Ibid.* sec. 507.

year had been a financial failure; indeed, had it not been for the timely arrival of a few men-of-war the Dutch would have swept the English from the coast.⁵⁹ Evidently English commerce must be protected by English men-of-war, and in December 1663 Captain Robert Holmes was again sent to Africa for that purpose.

But the commercial interests of England had already brought New Netherlands within the field of vision. The second Navigation Act of the Restoration, which was introduced into the lower house and passed the first reading on 8 May 1663, was intended to remedy the defects of the act of 1660 by making the infringement of the law more difficult.⁶⁰ Debated from time to time, it passed the third reading in the commons on 13 June and was brought into the house of lords on the 19th, where it was at once referred to a committee of which Lord Berkeley was chairman.⁶¹ If it was not the parliamentary discussion on the Navigation Act, it was the general interests in trade of which that was an expression, that led the king to issue an order in council, 6 July 1663, requiring the colonial governors to enforce the act of 1660.⁶² But it was believed in England that the infringement of the act on the coast of North America was largely due to the presence of a Dutch colony midway between New England and Maryland, and the Council for Foreign Plantations gladly welcomed an English claim for New Netherlands. In 1661 the earl of Stirling had presented a petition to the king claiming the territory and complaining of the intrusion of the Dutch; but it seems not to have been considered until the discussion on trade in the summer of 1663, and a renewal of the claim led the Council for Foreign Plantations to examine the whole matter. At a meeting of which Lord Berkeley was president it was resolved to investigate the English title to New Netherlands, the intrusion and strength of the Dutch, and the means whereby they could be made to acknowledge English sovereignty or withdraw.⁶³ Among the colonial state papers is a document by an unknown author, who claims New Netherlands for the English by right of discovery, and suggests that the English occupation has been prevented by the Dutch. The language of the writer is violent and his statements are a gross perversion of the truth, but he perhaps expresses the feeling in official circles towards the close of 1663. 'Trade has been wrested from the English merchants, as may be seen by the Dutch returns of last year, 1662. This miserable state of English interests in that part of the world calls aloud for remedy, that they may no longer sustain the intolerable disgrace of

⁵⁹ *Calendar of State Papers*, Col., 1661-8, sec. 618.

⁶⁰ Statute of 15 Charles II, c. 5, sec. 4; *Commons' Journals*, iii. 487.

⁶¹ *Ibid.* viii. 480, 502; *Lords' Journals*, xi. 539, 568, 571.

⁶² *New York Documents relating to Colonial History*, iii. 45.

⁶³ *Ibid.* iii. 46.

submitting to the intrusion of such monsters and bold usurpers."⁶⁴ However shadowy may have been the English title to New Netherlands it was believed that claims for such title could be advanced, and the Dutch-English antagonism would not permit those claims to lie dormant.

Action was all the more likely because at the opening of the new year, 1664, war between Holland and England was considered possible. To the contest for trade, especially in Africa, was added a dispute at home. One article of the treaty of 1662 provided that neither state should permit enemies of the other to remain within its boundaries.⁶⁵ The Restoration had driven many republicans to Rotterdam, where they were conspiring with others at home for the re-establishment of independency; and Clarendon considered that the banishment of those men from Holland was included in this provision. Two years however had gone by and neither the states-general nor the estates of Holland seemed to desire to carry out the terms of the treaty. If the refugees could not be expelled they could at least be watched; and Secretary Bennet sent Edward Riggs to Rotterdam to report on their conduct. On 1 January 1664 he wrote that they hoped 'much from the difference with Holland,' and that they were shipping arms secretly to London.⁶⁶ Nearly a month after the recognition of this 'difference' the committee reported on New Netherlands. On 29 January 1664 Lord Berkeley, Sir William Coventry, and Sir George Carteret pointed out that Long Island possessed a population of about thirteen hundred Dutch and about one-half as many English. Men could be secured from New Haven, and other colonies would contribute. It would not be very difficult to subdue the Dutch or drive them out, if the king would send three ships and three hundred men; should he determine to proceed with the design letters must be sent to New England for assistance.⁶⁷ While, therefore, the discussion on trade and the infringement of the Navigation Act had first brought New Netherlands within the ken of the statesmen of the Restoration, it was not until Dutch opposition to English trade on the Guinea coast had caused the financial ruin of the African Company, and war between the two countries was considered possible, that a descent on a Dutch province seemed imminent. Possibly English loss in Africa was to be made good at the expense of the Dutch West India Company in the New World.

On 4 March 1664 Secretary Bennet was informed by letter from Rotterdam that the Dutch were building ships of unusual size in preparation for war with England,⁶⁸ and on the 12th

⁶⁴ *Calendar of State Papers*, Col., 1661-8, sec. 622.

⁶⁵ Dumont, *Corps Diplomatique*, xii. 422.

⁶⁶ *Calendar of State Papers*, Dom., 1663-4, pp. 426, 663-4.

⁶⁷ *Ibid.*, Col., sec. 647.

⁶⁸ *Ibid.*, Dom., 1663-4, p. 505.

Charles II issued a patent to the duke of York giving him and his heirs the territory about the mouth of the Hudson River.⁶⁹ Parliament met on the 16th, and the lower house was just in session, when, on petition from the clothiers, a committee was appointed to consider their grievances.⁷⁰ On the 26th the committee was also empowered to inquire into the reasons for the general decay of trade and the means whereby the same might be improved.⁷¹ A month later, on 21 April, after having 'devoted much time and pains' to the subject, the committee reported that the decay was due to the opposition of the Dutch, and that the matter should be laid before the king, with a request that he take speedy and effectual means to redress it. The house accepted the report of the committee and resolved to support his majesty with their lives and fortunes against any opposition whatsoever. This warlike tone of the house of commons found immediate expression in the house of lords, and the resolution of parliament was sent to the king.⁷² On the very next day, 23 April, royal instructions were drawn up authorising Colonel Richard Nicolls, Sir Robert Carr, George Cartwright, and Samuel Maverick to make a tour of inspection of the New England colonies, as the chief end of a mission to the New World, the possession of Long Island being of secondary importance. While the leaders of the expedition could determine whether or not the descent on the Dutch province should precede or follow the visit to New England the king rather preferred the former course.⁷³ It is probable that the attack upon New Netherlands, first seriously contemplated towards the end of 1663, when the promoters of the Royal African Company became aware of their loss on the African coast, was definitely determined upon, now that the king was sure of parliamentary support. On 28 April Charles replied to the vote and request of parliament; he thanked them for their action and promised to demand redress from the Dutch, and if that were not forthcoming he would rely upon the two houses for support.⁷⁴

Meanwhile Captain Robert Holmes, who had been ordered to Africa late in 1663, arrived at the mouth of the Gambia towards the end of January 1664. He had been sent solely in the interest of the African Company, and his instructions were to protect the company's property and to secure freedom of trade; if necessary he was to use force. It was but a step however from the defence of trade to an attack on the Dutch, especially if the English factors on the coast were to urge such a policy, and if the Dutch should

⁶⁹ *Calendar of State Papers*, Col., 1661-8, sec. 689.

⁷⁰ *Lords' Journals*, xi. 581; *Commons' Journals*, viii. 530.

⁷¹ *Ibid.* viii. 537.

⁷² *Lords' Journals*, xi. 599-601.

⁷³ *New York Documents relating to Colonial History*, iii. 51-63.

⁷⁴ *Commons' Journals*, viii. 508; *Calendar of State Papers*, Dom., 1663-4, p. 573.

appear to be in possession of places to which the English might lay claim. Both motives possibly decided Holmes's conduct. On 23 January he seized the island of Goree, which was one of the important trading centres of the Dutch West India Company on the West Coast. He appeared before Anta in April, and determined in a council of war to make an attempt on the factory, because of 'the insolence of the Dutch upon the coast and the many ways they have taken to destroy his Majestie's subjects.' Anta fell. In May Cape Coast Castle, which had passed from the English to the Dutch probably in 1663, was retaken by the English at some cost, and again chosen as the chief factory. Early in May Anamabo and Adia, 'still detained in the hands of the Netherlands West India Company,' were taken.⁷⁵ If Holmes justified his conduct on the grounds that he was restoring to the Royal African Company trading points from which the English had been driven by the Dutch, the latter were sure to deny that the English had any rights on the coast, and would consider that the action of Holmes was an overt act of war. Holmes thus prepared the way for another African venture. The Royal African Company issued additional shares to the extent of thirty thousand pounds to provide more capital, and planned to equip eight vessels, to be escorted by as many men-of-war under Rupert. Some fifteen hundred men were impressed for the service. A letter from Norwich to London, under date of 24 October 1664, possibly represented the local feeling: 'There has been a press for seamen in all the towns of the country; by the countenances of the men they seem very willing to be employed. There would be volunteers enough against the Dutch if they were to be fought at home and not at Guinea.'⁷⁶

On the other side the United Provinces had determined to send Opdam, who was in command of the Holland fleet in the North Sea, to Africa to avenge Holmes's actions; and Van Goch, the Dutch ambassador, admitted in conversation in England that the Dutch commander had received such orders. It required no special insight on the part of the English to grasp the situation, and Rupert was ordered to Africa to prevent retaliatory measures by the Dutch. But when the two powers realised the imminence of a naval battle in African waters they mutually agreed to avert the danger by detaining their fleets in Europe.⁷⁷ Some surprise, therefore, was felt when it was rumoured in October that De Ruyter, in command of the Dutch fleet in the Mediterranean, had been secretly ordered to Africa; and the surprise passed into anger when the arrival of John Lawson, who had departed from Cadiz on 27 September, confirmed the report.⁷⁸ Whatever may have been

⁷⁵ *Calendar of State Papers*, Col., 1661-8, sec. 787; Dom., 1664-5, p. 92.

⁷⁶ *Ibid.* p. 111.

⁷⁷ *Lords' Journals*, xi. 626.

⁷⁸ *Hist. Manuscripts Commission, Fifteenth Report*, Heathcote MSS., p. 167.

the reason for the detention of the fleets under Rupert and Opdam in Europe, Charles II believed that it was only a subterfuge whereby the United Provinces could send De Ruyter to Africa without fear of serious opposition; he knew that the English forts would be at the mercy of overwhelming numbers and felt that he had been outwitted and deceived. It was probably this incident that caused the struggle for trade on the Guinea coast to become a European war. The loss in Africa could be made good only by the seizure of Dutch ships in European waters, and early in November an order to that effect was issued.⁷⁹ War with Holland was considered a foregone conclusion, and parliament was summoned to vote the necessary supplies.

Such was the situation when the loss of New Netherlands became known in Europe. About the middle of May 1664 four vessels had sailed from Portsmouth and arrived late in July on the New England coast.⁸⁰ Colonel Nicolls must have followed the suggestion to proceed at once to Long Island, for it was only some three weeks later that he appeared at the mouth of the Hudson River. In reply to an inquiry from Governor Stuyvesant as to the reason for the appearance of English men-of-war Colonel Nicolls said that he had come to assert the English title to the lands, and summoned the governor to surrender. In the negotiation which followed Nicolls was peremptory, and Stuyvesant felt that the Dutch were unprepared; hence on 27 August New Amsterdam was peacefully transferred from the United Provinces to the English crown.⁸¹

On 6 November and again on 13 November Van Goch presented the grievances of the Dutch to the English king. It was the coast of Africa however, and not New Netherlands, which was accorded the foremost place in the discussion. Charles admitted that Cape Verde belonged to the Dutch West India Company and that in taking possession Holmes had acted beyond his powers. Van Goch was assured that an inquiry would be made and that justice would be done. Cape Corso was claimed by Charles by right of occupation, and Van Goch justly replied that the Hollanders based their right to New Netherlands on precisely the same grounds. Charles accused the United Provinces of preparing for war in time of peace, but was himself straining every nerve for the same end.⁸² When parliament met, on 24 November, the speech from the throne recited the course of events since the prorogation on 17 May, dwelling upon the moderation of the English and the aggressive policy of the

⁷⁹ *Calendar of State Papers*, Dom., 1664-5, pp. 70, 90.

⁸⁰ *New York Documents relating to Colonial History*, iii. 65, 66.

⁸¹ *Ibid.* ii. 260; iii. 70 ff.; *Calendar of State Papers*, Col., 1661-8, sec. 788.

⁸² *New York Documents relating to Colonial History*, iii. 77-87; *Lords' Journals*, xi. 626.

Dutch. The secret mission of De Ruyter to Africa was declared to be the cause of hostilities, and the king believed that parliament would support him with an immediate grant of supplies, in order that the war might be pursued with vigour.⁸³ The members of the commons seemed as eager as the king; and on the next day, 25 November, they voted the unprecedented sum of two million five hundred thousand pounds for the war.

Late in September De Ruyter sailed for Africa, and on 13 October appeared off the island of Goree with some thirteen men-of-war. Such a show of force secured the place without a battle. Two weeks later the factory at Satalone was disabled and De Ruyter proceeded along the coast, capturing and blowing up factories almost at will. At Tacorady the Dutch were at first repulsed, on 25 December 1664, but, reinforced by negroes, they made a second assault, which ended in the burning of the town and the destruction of the factory. Anamabo suffered the same fate; at Comendo the factor alone escaped. At Cormantin, in January 1665, the negroes, under a native chief, John Cabessa, offered some opposition to the Dutch, but the English surrendered the place unconditionally.⁸⁴ By the end of January De Ruyter had made good the claim of the Dutch to a monopoly of the coast; and after placing the factory in a position of defence, probably without any knowledge of the loss of New Netherlands, he sailed, on 17 February, for the West Indies. The island of Barbadoes was not a possession of the English Company, but immediately under the English crown. Still on his arrival, 17 May, De Ruyter began an attack. The battle lasted from 10 A.M. until 3 P.M., when four of his vessels were so damaged that he was compelled to withdraw.⁸⁵ The course of affairs in Europe had kept pace with the events in Africa and in America. On 4 March Charles II issued the declaration of war, and on 8 June, in a naval battle which began off Lowestoft, the English fleet defeated the Dutch fleet and drove it across the North Sea into the Texel.⁸⁶

The capture of New Amsterdam by the English was one in a series of events which issued into the first Dutch war of the Restoration. The war itself grew out of the struggle for trade which was bequeathed to the two countries by the war of 1652. That contest was most intense on the African coast, and a descent upon New Amsterdam was not considered until Dutch hostility had ruined the Royal African Company. As early as the opening of 1664 war between the two countries was considered possible, but not until 28 April, under the influence of warlike news from Holland and popular opposition to Holland supported by parliamentary

⁸³ *Lords' Journals*, xi. 624-7.

⁸⁴ *Calendar of State Papers*, Col., 1661-8, sec. 980.

⁸⁵ *Ibid.*

⁸⁶ *Ibid.*, Dom., 1664-5, cxiv. 61; cxxxiii. 46; Col., 1661-8, sec. 953.

vote, was the order actually issued. The news of the fall of New Amsterdam arrived in Europe when war seemed inevitable, and thus was in no sense a cause of the conflict. The war was the contest of two nations struggling for the commerce of the world, and the fall of New Amsterdam was but one of many expressions of that commercial antagonism.

HENRY L. SCHOOLCRAFT.

The Northern Pacification of 1719-20

PART II.—THE SWEDISH TREATIES.

LORD CARTERET, ambassador extraordinary and plenipotentiary, reached Stockholm on 11 July 1719. His commission was to renew the treaty of 1700 with Great Britain, lately expired, to support Colonel Bassewitz in his negotiation for peace with Hanover, and to promote peace with Denmark and Prussia. Like Whitworth at Berlin, he was furnished with triple instructions, principal, additional, and private.¹ The first were chiefly concerned with the promotion and protection of trade. The second expressed King George's desire for a restoration of the ancient amity, so necessary for the maintenance of the Protestant religion; recalled the help formerly given by Great Britain, particularly in regard to the Neutrality Convention of 1710, 'which would have protected the Swedish possessions in Germany, if the late king had not wilfully prevented it;' ascribed what had happened since to the attacks upon commerce; and offered the mediation of Great Britain, as a neutral power, for a general peace. Queen Ulrica was to be assured of personal support and of efforts to obtain the association of her husband, the prince of Hesse, with her in the sovereignty. Damages done to trade on either side were to be assessed and balanced. There was an exposition of the advantage to Sweden in being rid of the burden of her German provinces; the recovery of losses 'towards Finland and Livonia is the only thing every true Swede should have at heart;' the friendship of the kings of Denmark, Poland, and Prussia was essential to strengthen the queen's hands against the tsar, and it could only be obtained by their being allowed to retain their acquisitions. That he should retain Finland and Livonia, the granaries and bulwarks of Sweden, and be master in the Baltic, would be fatal to her. This, Carteret, was told,

is a consideration of such importance to the commerce of Our subjects and even to their safety, which could not be so well provided for without the naval stores We draw from those ports, that you are to labour this point with the utmost dexterity and application.

¹ Record Office, King's Letters 65, of date 6 May, o.s.

The squadrons sent to the Baltic had only been intended to protect trade ; if the molestation thereof were stopped, the Swedes would have no reason to be jealous of their coming ; on the contrary, if the alliance were renewed, they would be employed for the interest and security of Sweden.

The private instructions I may quote in full :

We judge it to be of so great consequence to the trade and security of Our British Dominions as well as to the peace and tranquillity of Christendom that the Czar should not grow too powerfull in the Baltick, that if you find the Queen of Sweden and Prince of Hesse listen to Our proposals of their making peace and entring into a friendship and good correspondence with the kings of Denmark and Poland, the king of Prussia, and other neighbouring potentates of Germany, you shall make them an offer in Our name that if the Czar refuses to conclude a peace with Sweden upon the foot of making such restitutions to that Crown as are necessary for its security and for preserving the trade in the Baltick upon the same foot as it was before the present troubles began, besides the assistance which shall be agreed upon to be given them by Us towards recovering the same by force of arms, We will employ Our utmost credit and interest with the powers before mentioned and with Our other allys to procure supplies from them for enabling the Swedes to bring the Czar to reason.

Carteret found himself opposed by a very strong party, headed by the chancellor, Count Cronhielm, which favoured peace with Russia.² On his side were the prince of Hesse and Marshal Dücker, the heads of the army. The first difficulty was met with in Cronhielm's objection to accept Carteret's credentials, from which the queen's full titles were omitted. But she, moved by Bassewitz, waived the objection, granted an audience, and named commissioners to treat.³ Carteret found that the cession of Bremen and Verden had been promised to Bassewitz upon the condition, among others, that Great Britain, in renewing the treaty of 1700, should be obliged to render help in money, troops, and ships to recover what had been conquered by the tsar. Upon this he requested instructions.⁴ If only the tsar would give up Reval, he said, peace would certainly be made with him. He earnestly desired that the British squadron under Sir John Norris, now at Copenhagen, might be ordered up the Baltic at once, in order that the fears of a Russian invasion might be allayed.

² Proposals had been made by Peter the Great at Stockholm through Brigadier Lefort, before Carteret arrived.

³ Count Gustavus Cronhielm, president of the chancery, Count and Marshal Charles Gustavus Dücker, Count Gustavus Adam Taube, governor of Stockholm, Count Magnus de la Gardie, president of the Royal College of Commerce, all four senators, and Baron Daniel Nicholas Höpken, secretary of state. The chancellor and Höpken, a very able man, says Carteret, might be gained over by presents.

⁴ 'I never doubted but they would part with those Duchys, if the king would give more and engage himself to doe more for them, than they are worth.'

So far Carteret had written, 8 July, o.s., when Dücker and Bassewitz came in with news that the Russian troops were embarked and would land within four miles of Stockholm. If this happened, they said, the tsar's terms must be accepted. Only the king of England could help, and that by sending his fleet on. Carteret said that the conditions offered to Bassewitz could not be accepted. Dücker rejoined that if the fleet were ordered up, they would not be insisted upon. Carteret answered that he would write to request it, if the queen would declare to that effect and finish the Hanoverian treaty. To this at an audience she consented, only insisting that a footing must be preserved in Germany. Carteret urged that resolute measures should be taken; even if the news about the Russians were untrue, he said, for the fleet to come up would be no great matter.

Sir John Norris had arrived in Copenhagen roads on 3 July. His departure had been delayed pending the return of ships from the Mediterranean,⁵ for it had been necessary to defend the Channel against the threatened Spanish invasion. Even now his command included only eleven of the line and the 'Port Mahon' frigate. On the other hand, it was known that twenty-one Russian men-of-war and four frigates had been got ready at Cronslot and Reval to protect the force invading Sweden. The Swedes had only a few ill-equipped vessels to resist them. And it was believed that the Danes were acting in concert with the tsar, and might send some ships to join him. Consequently Norris was in no condition to do what was asked of him. Stanhope wrote to him on 11 July that the only commands which could be given him at present were to protect the traders and dispose his squadron as most convenient for that purpose. He was informed by Bernstorff that a reinforcement would be sent him. And he was asked, to quote his journal, 'what force of Denmark or Sweden would be sufficient to see the Russians?'⁶

Yet Stanhope was as eager as his colleagues to see the Russian

⁵ 'Capt. Hardy is at length arrived with his squadron from Port Mahon, and therefore Sir John Norris is now preparing with an expedition for his voyage to the Baltic' (Craggs to Stanhope, 29 May, o.s., Record Office, Regencies 73).

⁶ Brit. Mus., Add. MSS. 28129, 28146, 28155. Writing to Stanhope, Norris said (7 July o.s., Record Office, S.P. Dom. Naval 86): 'From what I have heard of the actions between our Country and the Dutch, or that has past to my knowledge from the happy Revolution to this time, I have not observ'd that when the force has been near equal on both sides that it has been able to make a final determination of success, and tho I would not give too much reputation to the Russians, yet in proportion to their neighbours I may be join'd with on either hand I believe they may acquit themselves upon near an equality to them, and as the situation of the Czar's affairs is likely to be this year near his own ports, it may be conjectured that with his fleet he may have the use of a great number of gallies which in calms that attend the summer season may give him an opportunity to make an attack upon some port where it will not be in our power to prevent it.'

fleet destroyed. In a despatch home,⁷ after expressing uncertainty about a Danish reinforcement to Norris, he went on :

It were indeed extreamly to be wished, that he had with him a force sufficient to put himself in the way of the Russes. I am persuaded that, if he had six English ships more than he has, he might barely by shewing himself, without striking a stroak, or even declaring himself, entirely defeat all the Czar's designs and save Sweden. By the conversation I have had with Major Finbo I have reason to believe that Sr. Jn. Norris himself is of this opinion. He is extreamly satisfied with the condition and quality of the ships he has, which are very well manned. And tho I believe that even with what he has he would disengage himself without much loss from the Czar's fleet, yet the disproportion of their number is so great, that nobody can advise he should put himself in their way. And it would be a great misfortune if for want of some more ships we should lose the opportunity of awing the Czar, saving Sweden, and by giving Peace to the North, of defeating the greatest hope which is now left to Spain, that of forming a strong Allyance against us in the North. The Lords Justices will therefore consider, whether, being at present intirely free from all apprehensions at home, any reinforcements may be sent to Sr. John Norris.⁸

Carteret wrote to Norris on 4 July, o.s., desiring a copy of his instructions, as his own made it appear that the admiral was to obey his calls. 'Nothing,' he said, 'keeps these people from agreeing with the Czar, but the hopes they have that we shall protect them against any invasion he shall endeavour to make upon them.' The queen and prince both thought that if Norris would come up the Baltic, the Russians would never venture out. It was of the greatest importance that he should come as far as Gothland ; if he did so, the king would probably approve.⁹

The best thing for the Swedes to do, Stanhope advised in a despatch of 10 July, was to fit out as many ships as possible at Carlskrona in order to try to cut off supplies from coming to the Russian army. A land battle should be avoided unless success were certain. Without sustenance from the fleet the force must

⁷ To Delafaye, 1 July, o.s., Record Office, Regencies 12.

⁸ Whitworth in like strain to Norris from Hanover, 11 July, expressed the hearty wish that he had four or five ships more, and were 'gone to take the air up the Baltick, affairs being so very ticklish. . . . The sight of an English flag well accompanied would make all your mushroom seamen of the north keep their heads in.

'Where'er thy Navy spreads her canvas wings
Homage to thee and peace to all she brings.'

His own 'land-expedition,' meaning his return to Berlin, would have success proportionate to that of Norris at sea (Brit. Mus., Add. MS. 28155). On 14 July, o.s., Stanhope sent thanks for the quick despatch of the reinforcements desired : 'it was a particular pleasure to his Maj'y to find their Excellencys have ordered four men-of-war to join Sr. John Norris's fleet in the Baltick' (Record Office, Regencies 12).

⁹ Brit. Mus., Add. MS. 28146 ; Record Office, S.P. Dom. Naval 86. Received by Norris 10 July, o.s.

perish of itself.¹⁰ When Carteret wrote again, 12 July, o.s., the Swedes were in the sorest straits. Twenty-two Russian men-of-war and four frigates were off the coast, 800 galleys with some 30,000 men on board had entered the river of Stockholm.¹¹ Its passages were too well defended to allow them to come up, but the troops landed at various points to burn and pillage. In the south the Danish army had crossed the frontier, Strömstad had been evacuated, Marstrand was being bombarded. It fell with its fortress Karlssten before Tordenskjold on the 26th. All the ships in the harbour, seven men-of-war of from 44 to 50 guns, two frigates and a number of smaller vessels were taken or sunk. Yet the prince of Hesse and Dücker stood out against the large majority of the senators for resistance. To defend the capital they formed a camp of 20,000 men at Tuna a few miles out.¹² The immediate effect, indeed, was the signature not of terms with Russia, but of the treaty with Hanover, under Carteret's written promise that the treaty of 1700 should be renewed in a form applicable to present circumstances, and that in the meantime an express should be sent to Norris desiring him to advance with his squadron and act according to his instructions. 'Our success,' Carteret wrote, 'is chiefly owing to the Czar, he at the gates of Stockholm has reasoned the best for us.' The prince and Dücker would rather die than accept his terms.

'Here,' Carteret resumes two days later, 'I was interrupted.' He proceeds with a graphic account of what had happened in the interval. Secretary Höpken, bringing the queen's ratification of the treaty, had said that the senate desired an explanation of the word 'applicable' in Carteret's promissory paper. Then Count Taube came in, but, as Carteret refused to discuss the matter, the two left, threatening that everything should be broken off. At another meeting in the evening a fresh document drawn up by Cronhielm and Höpken was submitted, but Carteret refused to sign it, and though the discussions continued till five in the morning, a satisfactory form could not be fixed upon. He gave the Swedes till six o'clock to hand over the ratification. As it did not come, he went straight off to camp, got there about noon, and was back by nine with a letter from the prince and Dücker expressing surprise that, *dans un tems que nous avons nos ennemis les Russes comme dans un sac*, the treaty should be delayed. Bassewitz, coming in, advised that nothing should be said about this visit to the army,

¹⁰ To Carteret, Record Office, Regencies 12.

¹¹ De Bie, the Dutch envoy, says that the Russian galleys and transports carried 26,000 men, those on the war-ships making up the number to 40,000. The fleet was chiefly employed in stopping trade to Stockholm (*Handlingar rörande Skandinaviens historia*, xxi. 384 foll.)

¹² *Ibid.* p. 384, 16 July.

as there had been great disputes and jealousies in the senate. And as Carteret learnt that that very afternoon the Russian Osterman had arrived in camp with propositions from the tsar, and as the senate would not yield, he now consented to sign a supplementary promissory paper, 'which I allmost quite changed from what they offered at first, having brought it as low and made it as general and obscure as I could.' He then sent off his secretary, William Finch, to acquaint Norris with what had been done, urging him to join the Swedish fleet and advance, and the Swedes repaired to camp to confer with Osterman.

The preliminary convention with Hanover, 14 July, provided (1) for eternal peace and amnesty and the restoration of old friendship; (2) for the complete cession of the duchies of Bremen and Verden, as ceded to Sweden at the peace of Westphalia, with all rights and privileges appertaining; (3) that Sweden would no longer trouble British commerce, but favour and promote it as much as possible; (4) that in return the old friendship and alliance with Great Britain should be renewed; (5) that the king of England, as elector, should pay a million crowns, the first instalment, if possible, within six weeks of receipt of the ratification of the present treaty; (6) that the two contracting powers would send plenipotentiaries to the Brunswick congress as soon as possible to conclude a formal peace on the lines of the present preliminary treaty under the mediation and guarantee of the emperor, and that efforts should be made at the same time to conclude peace with Denmark and Poland; (7) that the king's ratification should be delivered within six weeks from date. There was no mention, it must be noted, of Prussia. Carteret, after his instructions were issued, had been warned not to bring Prussian interests forward and had observed the warning.¹³ That the Swedes would have to give up Stettin also, if the negotiations at Berlin were successful, was carefully concealed from them at present.

Carteret could never, he says, adequately express his obligations to Dücker. 'His way of acting has been noble, and it is to his courage and conduct that Sweden will owe its preservation.' The situation had been most critical. 'Your Lordship sees how near we were losing all in the very port.' The senate had been 'outrageous' in opposing the cession of the duchies, insisting that a mortgage would be sufficient. 'If it was not already done, it would certainly now not be done, the fear of the Czar being almost over. . . . If our fleet does not come, I don't know what I shall be able

¹³ 'Not that I shall speak openly against that Court, but only with coldness and indifference, when I hear it mention'd' (3 July, o.s.) The warning was repeated in despatches from Stanhope of 10 July (Record Office, Regencies 12) and 22 July, o.s. (*ibid.* Sweden 24).

to say, for by that promise already at once was the business done.' These despatches of Carteret reached Hanover on 5 August, nine days, that is, before the treaties were signed with Prussia.¹⁴

On the Russian side the advent of the British squadron was viewed with resentment and apprehension. Resident Veselovsky in London had protested that its despatch showed neglect and jealousy of his master, who suspected an intention to attack his fleet. Craggs in reply accused the tsar of harbouring emissaries of the Pretender and of supporting him by treaties and expectations; the only intention, he averred, was to protect trade, with which the tsar had interfered.¹⁵ A fortnight after Norris reached Copenhagen he had an interview with the Russian ambassador there, who asked whether he had instructions to interrupt the Russian operations against Sweden, and said that a British squadron was not expected this year, and that his master had given orders for a free trade. The object of his attack on Sweden was to force her to make peace.¹⁶ Four days later (20 July) three Russian frigates appeared in Kjøge Bay. Count Golovin, the commander, came with the ambassador to Norris and delivered to him a letter from their master. Premising that he was the king of England's ally in the war, but that no concert had been made for the present campaign nor notice sent of the coming of the squadron as heretofore, Peter desired from Norris, before he came near the Russian fleet or territories, a written explanation upon what account he had come and what were his orders, particularly in regard to any act of hostility or friendship. In default of an answer in writing an advance would be interpreted to mean the former, and measures would be taken accordingly. He himself, Peter declared emphatically, had never entertained any design against the king of England's interests, but only against Sweden.¹⁷ Norris was given also copies of Peter's manifesto justifying his invasion of Sweden,¹⁸ couched in terms more honest than was usual in such docu-

¹⁴ *Ante*, p. 500.

¹⁵ Craggs to Stanhope, 17 June, o.s., Record Office, Regencies 73. He accuses the Holstein minister Petkum, the 'universal spy' of all the states that would employ him, of inspiring the Russian alarm. The answer given to Veselovsky on the part of the lords justices, 26 May, o.s., was couched in threatening language: the king had always sent a squadron to the Baltic to protect his trading subjects from the violence of the Swedes; it was hoped that the tsar would not use the example of his enemies to trouble the commerce of his friends; if he did, the lords justices would not fail to represent the case to the king, in order that he might give the orders necessary to protect it (Record Office, Foreign Entrybook 254).

¹⁶ Norris, 7 July, o.s., Record Office, S.P. Dom. Naval 86.

¹⁷ Dated on board the 'Ingria' at Hango Head, 7 June, o.s. The Russian original, with an English translation, Brit. Mus., Add. MS. 28155.

¹⁸ *Ibid.*, and Bacmeister III. App. xv. The origin of the war is referred to an affront given by the refusal of Charles XII. to believe the accusation that Count Dahberg, governor of Riga, had laid a plot against Peter's life.

ments, and of his last declaration of 28 June, o.s., in regard to trade.¹⁹

Veselovsky again on 10 August, o.s., enclosing a copy of the last document, complained of the reinforcement sent to Norris.²⁰ In reply Craggs wrote to him on behalf of the Lords Justices:—

Que chaque souverain est en droit d'employer ainsi qu'il trouve à propos ses troupes et ses vaisseaux, et sur ce principe on n'a point été demander au Czar quelles veues il avoit en faisant sortir de ses ports la flotte et l'armée si nombreuses qu'il a maintenant sur la Mer Baltique ; mais qu'on ne peut être surpris de cette demande de sa Majesté Czarienne après la lettre qu'Elle a écrite au Chevalier Norris, luy prescrivant les bornes jusqu'où il pouvoit s'avancer. Les Rois de la Grande Bretagne ne sont point accoutumés à recevoir des pareils complimens, et leurs Amiraux ne reçoivent point d'ordres d'aucun Prince Etranger.²¹

Norris in reply to Peter's letter said that he had himself spoken to Veselovsky about his coming with a squadron to protect trade and cultivate a good understanding with the king's allies, so that it must have been known. With the greatest submission he must express surprise at the apprehension of discord between the king his master and the tsar. He had forwarded the letter to Hanover. If the tsar would send to the king, he would be satisfied of the intention to preserve the ancient amity.²²

A notable commentary on the feeling in England towards Russia and on the part to be played by Prussia is contained in a despatch of 18 August from Bonet, the Prussian resident in London, written in answer to his master's rescript setting forth his desire to be the ally of both the king of England and the tsar, and for the unification of their interests in the northern peace.²³ Nothing, Bonet said, could be more distasteful whether to England or to Hanover than this idea. The desire was to decrease the tsar's power, not to increase it by guaranteeing to him his conquests. Guarantees by him of Bremen and Verden or of the protestant succession were neither wanted nor considered proper. The increase of his commercial power was regarded with jealousy. He was looked upon as deceitful and aggressive, as one whose friendship would be neither useful nor agreeable. In addition, he was thought to be declining in vigour and in health, his heir was an infant, the power he had raised, it was thought, might fall with him. It was not desired to reduce Sweden further. And, most important of all, it was feared that alliance with the tsar might estrange the

¹⁹ Copies, Record Office, Foreign Ministers 52, S.P. Dom. Naval 86; Brit. Mus. Add. MS. 28155.

²⁰ Record Office, Foreign Ministers 52, Foreign Entrybook 254.

²¹ *Ibid.* 254, 13 August, o.s. Similarly Polwarth, 22 July: 'It will be somewhat new if the British fleet must not enter the Baltick without leave from the Czar.'

²² Record Office, S.P. Dom. Naval 86.

²³ Printed by Droysen, iv. ii. 379.

emperor. The treaty between Sweden and Hanover and the reinforcement of the British squadron made it probable that an attack on the tsar was seriously contemplated. The Russian fleet would probably be beaten, but the loss of a few ships would not destroy the tsar's naval power nor force him to restore his conquests. A war with him would probably be unpopular in England, trade would be interrupted, the Jacobites encouraged; it might serve the king's electoral interests, but not those of the English nation.²⁴ The present expense of naval armaments was enormous, a million and a half; the ministry, though bold and venturesome, might find itself deserted; a new one might reverse everything as in former instances. In conclusion, Bonet advised against the proposed alliance with the king of England.²⁵

Carteret's despatch reached Norris on 1 August. He received also a memorandum from Baron 'Claes' Sparre, the Swedish admiral-in-chief, stating that he had the queen's orders to place his ships under Norris's command, but had ready only four of the line and two frigates, and that provisions were very scarce. He requested Norris to send a frigate to Hanö and a boat into Carlskrona, upon which the ships would come out, and informed him of the signals which would be used.²⁶ Another letter was from Craggs (7 July o.s.), intimating that orders had with difficulty been obtained for a reinforcement of four ships to be sent him, and that one or two might be sent later. 'I hope to hear,' he wrote, 'you have joined some other squadron than your own, or that you have not met with the Czar's fleet, for fear their superiority should make them sawcy.'²⁷

Meanwhile Stanhope was pressing for aid to Sweden from France. The fear, he wrote to Dubois on 31 July, was that the Swedes might give in to the Russians before Norris could come to their succour. They must be encouraged to hold out until the Russian fleet had been encountered. But they were in extreme want not only of money but of food. Assurances of succour might sustain them, particularly the promise of it from France, if only of good offices and subsidies. The concurrence of the Danes had been lost through deference to French insistence that they must restore Stralsund and Rügen. If it was a point of honour with France that Sweden should retain a footing in the empire, the stronger the reason for not looking quietly on when her total ruin was in question. While the fleet at Bornholm would protect the

²⁴ 'Elle en souffre, elle s'en lassera bientôt, elle ne respire que la paix, qui seule peut rétablir ses finances et conserver son crédit national.'

²⁵ In the autumn we have sundry fulminations of Whitworth against 'little Bonnet' as a creature of Ilgen and one whose aim had been to hinder the negotiations. But they are too spiteful to impress.

²⁶ Original, Brit. Mus., Add. MS. 28155.

²⁷ *Ibid.* 28146.

carriage of food to Sweden, the expectation of French subsidies would raise her credit. From all these considerations there had been no hesitation in informing Carteret that they were being sought for. Senneterre and he had thought it necessary to send Campredon²⁸ back to Paris on this matter; he was thoroughly instructed in their sentiments. The principal thing was for him to carry to Sweden a real succour in proportion to French means and Swedish wants. When the Prussian treaties were signed, there would be hope of raising Sweden again, even though she succumbed to the tsar.

Urged by Lord Stair, the request for a French subsidy was successful, although at first Dubois, he says, maintained that there was no money to spare from the Spanish war.²⁹ On 9 August he sent word that Campredon was returning to Hanover on his way to Sweden carrying with him gold ingots to the value of 300,000 crowns. Dubois wrote of the pleasure with which this succour was afforded, but added that Sweden could not treat with King George preferably to the tsar without the hope of regaining Stralsund and Rügen.³⁰

On 25 July, o.s., Carteret was able to report (to England) that full liberty had been granted to English ships to trade to the eastern ports without the restrictions imposed upon the Dutch. Two days later he sent to Hanover an account of what had happened in the previous fortnight. He had continually and successfully urged, he said, the equipping of as many ships as possible at Carlskrona. If orders were sent to Norris to come thither, there might yet be time to prevent the tsar from imposing terms. Osterman's ultimatum was as follows: First, the tsar to keep Reval and Viborg, all Ingria with its dependencies, and in Carelia Keksholm and its district; to buy Livonia, or hold it without payment for a term of forty years; and to restore Finland and the remainder of Carelia. Secondly, 'his good ally the king of Prussia' to receive Stettin and its district to the Peene in return for a sum of money to be agreed upon, or alternatively a mortgage of it for a term of years, at the end of which Sweden should repay for its recovery four million crowns to cover the sequestration money and the expenses of war. All other formalities were to be settled at the Åland congress. These conditions, said Carteret, had been accepted by the senate, the only persons opposing being Counts Dückér,

²⁸ Campredon had been French resident in Sweden for many years down to September 1717. There are very interesting memoirs by him on the state of Sweden in the French archives. In June 1719 he was appointed to return thither to represent France, going first to Hanover to consult (Stair, 16 and 20 June, Stanhope, 2 July, o.s.) His account of his doings there has been printed in Malmström's *Handlingar rörande Sveriges historia*, pp. 90-2.

²⁹ The regent 'ne pouvoit aller plus loin sans se noyer.'

³⁰ All this from Record Office, France 164.

Taube, and De la Gardie. The prince had thereupon threatened to throw up his command and leave the country, recommending Dücker as his successor, who however had 'answered like a brave man that people who could ever tamely come to a resolution to give up their country were not worth serving, and he would have nothing to do with them.' The queen too had shown 'the courage and firmness of her brother.' This had shamed the others, and a counter-proposal would be made, namely, in addition to the provinces offered by Lillienstedt at the Åland congress, the tsar to keep either Narva, Viborg, and Keksholm with their districts, or Narva and Esthonia with Reval; the king of Prussia's claims to be referred to the congress of Brunswick, unless he would deliver up Stettin upon payment of the 400,000 crowns advanced on the sequestration. 'This throws everything again at large, and if a fleet comes, the King may govern their peace as he thinks fit. If not, they cannot hold out long.' Then follows a further dissertation on the danger of the tsar becoming master in the Baltic. The Danes, Carteret said, would soon repent of what they had done. 'They have advanced the Czar's interest more than their own, who is not obliged to them for it, and speaks of them with contempt.' In union with the king they might have obtained what they could reasonably have pretended to, and 'the Czar, for the common good of Europe, had been reduced to reason, and nothing could have then prevented a glorious peace in the north.' The prince, dining with Carteret uninvited, had said that he would rather serve in England than consent to the tsar's conditions, and would hold firm to the last.²¹ All depended upon whether the fleet came or not.

This, then, was the situation when Stanhope, having nothing yet from Carteret but his first despatches, replied to them on 2 August. 'The doings of the Danes,' he said, 'puts us under unspeakable difficulties.' Stating the impossibility of action on the part of Norris under present circumstances and the solicitations being made at Paris in Sweden's favour, he directed Carteret to advise in the strongest manner possible peace with Denmark by the cession of Stralsund and Rügen. 'The minute they shall have secured Denmark Sir John Norris shall act with the utmost vigour for their service.' On the other hand, if peace with Russia were preferred, then, 'averse as we are to the Czar,' the king would 'equally contribute his best offices to serve them that way.' In that case the treaty must 'be so managed as to lay a foundation of enmity and jealousy betwixt the Czar and Denmark.' An article

²¹ Carteret enclosed a copy of a letter from the prince to the senate, shown him by the former, in which he argued that the tsar's insistence upon Reval furnished sufficient reason against his having it. He would be able to keep his fleet there and be master of Swedish trade. It would be much better to make alliance 'avec les Chrétiens,' especially the king of England.

should oblige him to give assistance against Denmark by sea and land. At the same time the necessity of a good defensive alliance with Great Britain must be insisted upon. No other power in Europe, excepting France, could render equal service, and Sweden was not so useful to France now as formerly. 'Against the Czar they will ever be secure in us of an active and vigorous ally,' and help could be given in ships or money, as preferred. The issue at Berlin being still uncertain, mention of Prussia must as far as possible be avoided, yet not so far as to give any just handle for complaint. The British and Hanoverian treaties should be signed, if possible, at the same time. Of course, the guarantee of Sleswick and the German provinces of Sweden, given under the treaty of 1700, could not now be renewed, but to subsidies equal to the succour therein stipulated Sweden would be entitled till the general peace.³²

The receipt of this despatch threw Carteret into consternation. 'If your Lordship is under unspeakable difficulties, what must I be in?' he asked. 'The moment a courier arrives my house is full of senators enquiring about the fleet.' They swore that their own should go out and fight by itself. When he imputed their situation to the war with Denmark, 'they said that all was owing to their reliance upon the king of England. If they had not trusted to his fleet they had made peace with the Czar before any one town had been burnt, and by this time they should have had ample revenge of the Danes. With this they left me.' Norris might join the Swedish fleet without fear. The Danes had not above five ships in the Baltic, and it was not likely that they would join the Russians. 'A good and a wise Dane is jealous of the Russian fleet, notwithstanding they fight at present against a common enemy.' To speak to the Swedes about peace with Denmark was to insult them. 'To sacrifice Pomerania is directly contrary to all their views both publick and private.' The prince, Dücker, and Taube, the two latter Livonians, would rather die than give up Reval. And so on at great length. All would be right if the fleet came. 'Our King will be the instrument of Providence to make Sweden happy in its domestick as well as foreign affairs, and the interest of Great Britain will be secured in the north.' The situation had been discussed at another conference on Sunday. Carteret had said, as instructed, that whichever way the Swedes might be constrained to make peace they might be sure of the king's friendship, and that though he preferred the one, he would not object to the other, being only anxious to draw them out of their difficulties. It was suggested that he should see Osterman, but when he explained the terms in which he would speak to him, the Swedes thought that he had better not, 'unless

³² Hanover, 22 July, o.s., Record Office, Sweden 24.

I would speak more particularly and mention very strongly the fleet.' Now he could not see him, for he was not allowed to come to town, and was leaving the country next day. Stanhope's letter to Dubois, of which he had shown a copy, had been very gratefully received, especially in its regard to French subsidies, and so had his own silence about the king of Prussia. As to the exclusion of the German provinces from mention in the British treaty, 'they do no way admit that those Provinces are out of the question, but insist that they are the chief question.' The ships both at Carlskrona and at Stockholm were to go out as soon as possible. The Swedes would hold out to the last, but if the sea were not opened, they would starve. 'But if our fleet has orders to joyn the Swedish fleet, this Nation may still be rescued, and our King and Country make as high a figure as ever people did. I hope this great conjuncture will not be lost.' The prince and Dücker said that, if the fleet came, they would break off entirely with the tsar; a word from them, and 'the army will demolish the senate.'³³

But Norris stayed on in Copenhagen roads. Stanhope wrote to him that until there was greater certainty about 'the dispositions of our several northern neighbours, I think you cannot do better than to continue to act a part perfectly neutral.'³⁴ And later,³⁵ that he should reply to Sparre that it was 'no ways adviseable or indeed practical' for him to proceed until his reinforcements arrived, 'especially considering the present temper of the Danes, who might possibly intercept anything that were to follow you.'³⁶ As soon as the four ships came, he should say, he expected to receive instructions agreeable to the queen's wishes, and in the meantime Sparre had better push on his preparations with all vigour. In order to have accurate information upon the strength of the Swedes, it would be well to send an officer to Carlskrona to view and report. Bernstorff wrote that with the four ships expected and eight or ten Swedes, Norris should be strong enough to beat the Russians, and thought that there was no real danger from the Danes. He requested his private opinion, of which no one else should know, for submission to the king.³⁷

³³ 3 August, o.s. In a ciphered letter Carteret wrote: 'The machine is akrew'd up to the height and cannot hold long together, one party must get the better of the other soon, our fleet's coming or not will cast the balance. The Livonians will venture all before a cession shall be made of their country to the Czar. The prince and Count Dücker are at the head of that party and have the army at command, the prince thinks he shall succeed in all his views if the fleet comes.'

³⁴ 22 July, o.s., *ibid.*

³⁵ 11 August.

³⁶ Stanhope even warned Norris that the Danes might attempt to seize his person, 'which is the greatest blow that could happen at present to the King's service.' Norris himself feared that they might remove the buoys from the Sound, necessitating passage to the Baltic by the Belts, with whose navigation no one on board was acquainted (7 August, o.s., Record Office, S.P. Dom. Naval 86).

³⁷ *it. Mus., Add. MSS. 28146-55.*

It was indeed natural to believe that the Danes might now join forces with the Russians, for while they were still obstinate against making peace with Sweden unless their full demands were granted, the miscalculation of their own strength had become apparent. It had not been possible to follow up the success obtained at Marstrand, partly because the devastation of the country forbade an advance. The army retired from Sweden in the first week of August. Frederick indeed emphatically (and truly) denied that he had any concert with or intention of joining the Russians, but the failure of all attempts to induce him to fall in with George's present policy, and his expressed determination to continue the war at all costs, caused his assurances to be disbelieved. On the other hand, all that the Swedes offered³⁸ was to waive claims for damages done by the war and to pay 200,000 crowns, conditionally upon restoration of all that had been taken from Sweden and from the duke of Holstein-Gottorp. Carteret had written: 'When once I mentioned making some cession, it raised such a flame as is hardly to be imagined. They said they had rather give to the Czar everything than anything to Denmark,' for the former had been a generous enemy in comparison, the Danes having 'always attacked them in their distress.' To them was ascribed the loss of Riga and Livonia, of Bremen and Verden. If it were thought that they were to be helped to obtain Stralsund and Rügen, the Swedes would at once close with the tsar, if only in order to attack Denmark and beat her again.³⁹

Carteret's despatches enclosing the signed Hanoverian convention were received at Hanover on 5 August. But Stanhope waited to reply to them till the 17th, when he had news of the conclusion of the Prussian treaties.⁴⁰ Then he broke upon the Swedes the cession of Stettin, directing its stipulation in the treaty with Great Britain, and descanting on the necessity of alliance with that power and with Prussia, if the war with the tsar were to be carried on. The plea he advanced was that the place had been guaranteed to Prussia under the treaty of 1715. Orders, he said, now going to Norris to advance could not have been given had not the king been sure of Prussia, and the uncertainty which had prevailed in that direction had been the cause of the delay in replying to Carteret's despatches. He must at once solicit a passport for a Prussian minister to come to Sweden to treat, the name to be left blank. The sum to be paid for Stettin should only be stated if the Swedes

³⁸ Through Major-General Adlerfeld, at Copenhagen: Polwarth, 25 and 29 August, Record Office, Denmark 42.

³⁹ 14 July, o.s.

⁴⁰ Whitworth, as we have seen (*ante*, p. 501), persuaded the Prussians to ante-date their treaties by ten days (to 4 August), in order that they might appear to have been signed before the Swedish convention reached Hanover.

insisted, in which case two million crowns might be named. France being also a guarantor of Stettin to Prussia, as well as of the treaty with that power just concluded, it would be a pure impossibility for Sweden ever to recover the place; much better for her to accept the two million crowns. The orders to Norris, Stanhope went on in a secret despatch, were intended to facilitate Carteret's negotiation and to render to Sweden all service that was humanly possible, although the king might be involved in an immediate war with Russia and Denmark. Either the tsar would be forced to withdraw, and Sweden in consequence gain a year for negotiation, or he would give an answer which would justify to the world anything that might be undertaken in defence of Sweden. It was, as Carteret knew, much easier in England to do certain things than to make treaty engagements that they should be done. Having gone further than perhaps was prudent in order to help Sweden, the king was persuaded that his treaty would be accepted. If it were not, Bassewitz might hand over his ratification of the electoral convention, but Carteret must break off, declaring that the king would do nothing further and that the fleet would be recalled to England. The worst that could happen would be that he would save a million crowns and enjoy his acquisitions serenely under the guarantees of France and Prussia, to which those of the tsar and Denmark could be added.⁴¹

The orders to Norris were to advance to Hanö, the four ships having joined him, as soon as he learnt from Carteret that the British treaty was accepted and signed, and thence to keep in communication with the Swedish admiral, but not to join the Swedish fleet, unless the approach of the Russian should oblige him to do so. Having informed himself thoroughly of all the circumstances, including the disposition of the Danes and the probability of their fleet joining the Russian, he must thereafter use his judgment as to whether, with the Swedes, he might venture an action with prospect of success. If he thought so, he was to send a letter to the tsar offering the mediation of Great Britain and requiring a suspension of arms, under threat that, in case of refusal, the British and Swedish forces would unite.⁴² If the answer were insolent, or if,

⁴¹ In a similar spirit Robethon had reported to General Bothmer Stanhope's opinion, that it might be a good thing for Sweden to accept the tsar's terms, for the king would be in perfect security, Prussia immediately sign her treaties, Denmark be obliged to be content with what could be done for her at Brunswick; in a word, peace would be established. Whereas, if the king should make his peace with Sweden alone, he would burden himself with an ally that had no money, ships, or troops, and would incur the hostility of Russia, Denmark, and perhaps Prussia, placing himself in a very dangerous situation. Peace between Sweden and Russia, Robethon said, was therefore not looked upon as a misfortune, seeing that one with Denmark appeared to be impracticable (7 August, Add. MS. 28155, translation).

⁴² The letter was composed by Norris in accordance with the terms prescribed, but not sent (Record Office, S.P. Dom. Naval 86).

after sufficient time allowed, none were received, Norris should join the Swedish fleet and act with it as he should judge most effectual to destroy that of the tsar, 'than which a greater service cannot be done to your country.' More positive orders could not be given; the king was happy to have in command of the fleet a man who could be trusted to help out their 'lameness or imperfections.'

You know His Majesty's view, which is to save Sweden, if possible, and to destroy the Czar's fleet. You are the only judge, whether the means you have are sufficient; if you think not, you must not attempt and consequently not send the letter to the Czar. If you think you are likely to succeed, attempt in the name of God, and be sure of all the support the King can give you, even tho' the attempt should not answer your expectation.

What it was best to say to the Danes, Norris must judge. The treaty with Prussia, received that morning, 'makes us very easy on that side;' but it must be kept secret for some time. With these orders Stanhope enclosed translations of his despatches to Carteret and of the draft for the British preliminary convention.⁴³

When Carteret received these despatches on 26 August, he went at once to the prince and explained as best he could why the pretensions of Prussia had not been brought forward before, and how essential it was for Sweden to make peace with her. The prince was shocked and astounded, but yielded to persuasion. The king of England, he said, 'would obtain terms for his son-in-law, at the representations of an English ambassador, which the Czar could not obtain for him with an army of 30,000 men at their gates and a fleet of 24 men-of-war and 800 galleys at their port.' It was to be hoped that he would appreciate the value set upon his friendship, if consent were given. The junction of the fleets would be a *causa sine qua non*, and the recovery of Reval and Livonia must be guaranteed. About the cession of Stralsund and Rügen, which Stanhope urged, it would be better for Carteret never to speak again.

At his conference with the senators Carteret endeavoured to satisfy them with general expressions about Reval and Livonia; the time was not ripe, he said, for guarantees. But they were firm, saying that the king of Prussia had offered cheaper terms through Osterman, that the isles of Usedom and Wollin had not come under the sequestration and the former could not be separated from Rügen, and so on. 'I looked upon the matter as desperate,' says Carteret. At last he said, 'the short question was, would they detach the king of Prussia from the Czar, or not, and give him their provinces at the interposition of the king of Great Britain or at the interposition of the Czar.' The French guarantee was suffi-

⁴³ The whole, Brit. Mus., Add. MS. 28146, 17 August.

cient evidence that Sweden could never regain them. 'I waved the consideration of money, knowing that they might have a larger sum from the Czar, but the Czar's money was the purchase of their liberty and independency, but my master's a real disinterested supply to preserve them.' The discussions were resumed two days later, and the conference was about to break up, when there came a letter from Norris, 'so prudently and discreetly writ,' says Carteret, 'that I could shew it them. . . . This prevailed infinitely more than anything I could say, turned the ballance in my favour.' Count Sparre advised acceptance of the treaty with certain alterations, the principal ones additions to the second separate article, making the cession of Stettin conditional upon the king of Prussia's engagement not to give help to the tsar against Sweden directly or indirectly, and to the third, naming the tsar as the enemy against whom the joint forces of England and Sweden were to act, in case he refused the king of England's mediation and continued hostilities. Carteret was obliged to acquiesce, although he disputed the latter change almost to breaking off. And he was obliged also to sign a declaration to the effect that Norris should write to the tsar to offer the king's mediation, and should immediately join the Swedish fleet and be prepared to resist with it the progress of the Russians; otherwise the treaty to be null and void.⁴⁴

'Sir John Norris' prudent letter,' Carteret goes on, 'has done this business.' To him, if what was done were approved, success must be attributed. If it were not approved, Carteret would take the blame himself. 'It was as hard in this case for me to follow orders punctually as it was to your Lordship to give them. I think I have followed His Majesty's intention, and the interest of my Country.' The treaty was signed on $\frac{1}{2}$ August, and ratified by the queen late the next night, and upon its signature Bassewitz handed over the king's ratification of the Hanoverian convention.

It must be said that Carteret's success was not wholly due to the Russian invasion and to the promise of British help. Several of the Swedish senators, he had early said, could be bought, and he and Bassewitz bought them. He makes no further secret of this than to write of it in cipher. The pressing poverty of the Swedes made this method of persuasion irresistible. Bassewitz, says Carteret (12 July), had promised the commissioners 10,000 crowns apiece, and 5000 or 6000 to under-secretary Von Kochen.⁴⁵ He himself had been forced to give very broad hints of further pay-

⁴⁴ Carteret proceeds in his despatch (19 August, o.s.) with apologies and reasons for signing this, pointing out especially the value of the Swedes as allies: 'They have as good swords and as good hearts as any in Europe,' and so on.

⁴⁵ But Bassewitz expected to save King George thereby 100,000 crowns, as the Swedes would now accept ordinary rix-dollars for the payment of the million for Bremen and Verden instead of rix-dollars *de banco*.

ments, when he should come to arrange the British treaty; 5000*l.* or 6000*l.*, he thought, expended thus would settle that as desired.⁴⁶ On 8 August, o.s., he wrote,

If the fleet does not come, the Defensive Treaty can never be settled as you would have it, without money. The like summ, vizt. of 54,000 crowns, that the king hath sent to Mons^r Bassewitz must be sent to me to be given to the same persons; if it was not for that money he and I should pass our time very ill at present in this country. That keeps them in awe and makes them stand by. Pray represent the necessity of this to the king in the strongest terms.

Stanhope in reply authorised Carteret to make presents to the value of 10,000*l.*⁴⁷ The latter answered that he had engaged to the five plenipotentiaries on his word and honour 20,000 crowns apiece of Prussian money, and to another, not named, 6000, while the secretaries of the chancery would require 4000. On the king's account he had paid 14,000 crowns 'banco' out of his own pocket, and had promised 10,000 more, exhausting his funds.⁴⁸ Stanhope thereupon sent a letter of credit for 26,000 crowns, with copies of bills sent from Berlin to Hamburg for 110,000, payable in new 'drittels.' As this coin, he said, was lower in value than Swedish crowns 'banco' by at least 32 per cent., and as the presents were to be made in the latter species, Carteret must adjust the balance with Knyphausen when he came. If he refused to pay the higher value, the king would make the difference good, for Carteret's credit, deducting the amount later from the arrears of subsidy owing to Prussia.⁴⁹ And here we may note the complaint of the Dutch ambassador, Burmannia, that he was not provided with funds to be similarly employed. It was very annoying, he expressed it, to have to sail against the money-stream. Influential persons were interested in the privateering, and to stop it they must be compensated. Two, he said, who did not wish to be named, had come to him and intimated this.⁵⁰

The preliminary treaty thus obtained provided that the union between Great Britain and Sweden should be renewed and made yet closer for the maintenance of the protestant religion; that damages done to trade by either side should be assessed and

⁴⁶ 'I think we may look upon it in a manner as renewed, and with the help of some presents may renew it our own way, if this government subsists two months, and Providence has not decreed the subversion of this nation.'

⁴⁷ 'I don't mean that his Maj^{ty}. stints you so exactly to that summ, but that he will allow some thousands more if you can finish and get the treaty signed as 'tis sent you' (17 August).

⁴⁸ 19 August, o.s.

⁴⁹ 11 September. 26,000 crowns were sent to allow Carteret a margin. He said however that he did not want them.

⁵⁰ Private despatch of 29 December, *Handlingar rörande Skandinaviens historia* xxi. 396.

balanced; that instead of the succours stipulated under the treaty of 1700 Great Britain should pay an annual subsidy, the first instalment within fifteen days from signature; that British commerce in the Baltic should at once be free and as favourably treated as ever before the troubles began; that the king, having already urgently exhorted Sweden to make peace with one of the two powers attacking her, since their union must destroy her, should exert himself to obtain the best conditions possible, and to engage the help of all the other powers, his allies; and that, if in consequence of the present treaty he were attacked by any power whether in Great Britain or Hanover, Sweden should not make peace with that power without him. Four separate articles followed. The first guaranteed the preliminary convention with Hanover, and in particular its clause, specially recited, ceding Bremen and Verden, which article was to have full and entire effect from this time without any alteration of it in the final treaty, it being understood that King George would satisfy the fifth article of the convention as to payment of the sum stipulated. The second ceded to Prussia Stettin and the district between Oder and Peene with the isles of Usedom and Wollin in return for a payment of two million crowns, their British and Swedish majesties agreeing to guarantee the treaty to be made with Prussia, and it being stated that the cession was only made upon condition that the king of Prussia undertook to give no help to the tsar against Sweden directly or indirectly. The third article promised that, if a treaty could be made with Denmark, King George would not be content with having helped Sweden by his good offices and by the subsidies stipulated, which stipulation was to hold good until peace was made with Denmark and with the tsar, but even if the peace with Denmark could not be made, would nevertheless be ready to join his forces with those of Sweden as auxiliaries to act against the tsar as reasons of war should demand, in case he would not accept the British mediation offered and continued hostilities against Sweden. The fourth engaged King George to use his best offices and most pressing instances with the court of France to furnish the most considerable subsidies possible until the time of the general peace.

In this form the separate articles were ratified also by George on 14 September.⁵¹ But it was not the final form. Before the treaty was signed at Stockholm, not only had a French subsidy been obtained, as above said, but also the promise of a French guarantee. Campredon arrived at Stockholm bearing this and his gold ingots on 31 August. It was thought proper, therefore, to insert mention of the guarantee and of French mediation, and, that being done, of the mediation of the emperor also, in the first

⁵¹ Record Office, Treaties 529.

and second separate articles, and to omit the fourth altogether. This is the form of these articles, ratified by the queen of Sweden, preserved at the Record office,⁵² though they bear the old date, 1st August.⁵³

The letter from Norris which had so great effect at Stockholm was written on the day⁵⁴ that he learnt from Sparre that the latter was sailing from Carlskrona with twelve good fighting ships and others towards Landsort and the 'Swedish Skaw.' Although the lieutenant, sent as desired to Carlskrona, returned with a poor account of the Swedish fleet, and the report that the Russian had already sailed for Reval and that the galleys could not be got at among the rocks and small islands, he brought a second letter from Sparre wishing that Norris were already with him, and appointing a rendezvous at Landsort or Elsnabben, where pilots would be ready for him. Victuals, Sparre said, would not be wanting at Stockholm, 'and shall no victuals hinder us from keeping the sea.' Two men-of-war and three frigates had gone forward already to stop 'the dangerous burnings and doings of the Muscovites.'⁵⁵ The combined fleet would number thirty sail, sufficient to fight the Russians.⁵⁶ Norris therefore after a council of war, and having already received two of the ships expected, decided to sail for Hanö, 'to give a countenance to Lord Carteret's negotiations at the Court of Sweden,' as he expressed it. He sailed on the 26th. Passing the Grounds he received a despatch from Stanhope ordering him to do just what he was doing, after leaving special assurances of friendship with the court of Denmark, and saying, as with truth he could, that every despatch to Carteret had carried orders in its favour.⁵⁷ From Hanö he was directed to inform the queen of Sweden that he was instructed to obey her commands as soon as the treaty was signed. On hearing of this from Carteret, and supposing that the

⁵² Record Office, Treaties 528.

⁵³ See on this subject Stanhope's despatches of 20 and 22 August and 8 October to Stair and Dubois (*ibid.*, France 165) and of 24 August and 30 September to Carteret. The last named wrote on 27 September, o.s., that the changes had been made. They are shown in copies and drafts at the Record Office (Treaty Papers 71); one copy of the second article bears the signature of the king of Prussia.

⁵⁴ 12 August, o.s.

⁵⁵ 'Your Lord^{sh} would not nor cannot believe,' said Sparre, who wrote in English, 'what damage they have done to our country in this calmy weather that hath been all the summer over.'

⁵⁶ Brit. Mus., Add. MSS. 28129 (the journal) and 28146; the originals from Sparre, *ibid.* 28155.

⁵⁷ 10 August, o.s., *ibid.* 28146. The statement was not without truth. In a despatch to Carteret of 24 August Stanhope urged the purchase of peace with Denmark by a sum of money or the cession of Stralsund and Rügen, possessions, he once more averred, of much less importance than Livonia and Esthonia. And he wrote the same to Dubois, pointing out that, even though the Russian fleet were driven from the Baltic, the Swedes could not venture upon a land attack, unless they had previously made peace with Denmark.

Swedes had not made peace with the tsar, said Stanhope, 'you do in concert with the Swedish Admiral go look for the Russ fleet and do your best to destroy them.'

The fleet, now reinforced, was a powerful one, eighteen of the line. Anchor was cast off Hanö on 28 August. In accordance with Carteret's request, Norris sent him the letter to the tsar before mentioned, and proceeded on his voyage. On 5 September he joined the Swedish fleet, ten of the line with two frigates, a fire-ship and a bomb-vessel. Carteret wrote to him that the news of his sailing had been received 'with inexpressible joy and satisfaction;' he had roused the prince from bed to hear it. 'I now thank God,' he went on, 'that I have prevented their making peace with the Czar. It lay heavy upon my conscience whilst I saw their misery and heard of no succours coming.'⁵⁸ Carteret, and Stanhope later,⁵⁹ advised that, as the Russian galleys were now retiring to the Åland isles and the men-of-war supposed to lie in Le-Sund harbour hard by, Norris and Sparre should not come on to Stockholm but sail directly for Hango Head to cut them off. But Sparre said he must go to Landsort; for provisions, Norris thought. So on 6 September the fleet arrived there, having experienced great difficulties of navigation on account of sunken and other rocks. The weather turning stormy, it went on past Elsnabben and cast anchor at 'the Dollars' (Dalarö).⁶⁰ The proposed undertaking would have been futile, for the Russians were

⁵⁸ I cannot refrain from quoting from Carteret's letters to show the exalted frame of mind he was in. 'It is now in your power,' he wrote to Norris on 19 August, o.s., 'by the help of God to do the most signal piece of service to your country that any man hath done this age. The scales of the North are in your hand. You can cast the ballance as you please. The cause of Liberty and of the Protestant Religion will be served by rescuing this brave Nation, and I know by experience how true a friend you are to those interests both at home and abroad. God give you success. The goodness of the cause promises it, and if the Czar refuses the King's Mediation, as he probably will, a mark of which will be his continuing hostilities against Sweden, I hope you will by force of arms bring him to reason, and destroy that fleet, which will disturb the world, whilst it is steered by ambition and revenge.' And two days later: 'You have now a very glorious scene of action open to you, in which you will shew to the whole world what the English nation can do. 'Tis the honestest cause that ever man was engaged in. The greatest business is to intercept the Czar, that he may not get to Revel. Cut off his retreat, and we are sure of him. . . . God bless you, S^r John Norris. All honest and good men will give you just applause. Many persons will envy you, but nobody will dare say a word against you. Every Englishman will be obliged to you, if you can destroy the Czar's fleet, which I don't doubt but you will, for the Providence of God will never suffer such cruelty to go unpunished, as the Muscovites have exercised this summer in Sweden.' Stanhope was of like opinion. Norris's conduct was approved, he wrote (1 September), and there were no further instructions for him, except that 'you should have used your utmost endeavours to do all the mischief you possibly can to the Muscovite fleet, than which a greater service cannot be done to your country, and in which I wish you all possible success' (Brit. Mus., Add. MS. 28146; Record Office, S.P. Dom. Naval 86).

⁵⁹ 24 August, o.s., Record Office, Regencies 12.

⁶⁰ Account of this voyage in Norris to Stanhope of 29 August, o.s.

already back at Reval, whither the news of Norris's sailing had been brought by Count Golovin, who had stayed with one of his ships in Copenhagen roads to the last moment. Great alarm was caused, the batteries were armed, and all precautions taken, and panic reigned, when a fleet was sighted in the fog, until it proved to be the Russian.⁶¹

Immediately on Norris's arrival at Dalarö a council of war was held,⁶² attended by the prince of Hesse, Dücker and Carteret, and the Swedish and British admirals. It was decided that, as Le-Sund was too well defended to be attacked, and there was no place in the neighbourhood or between it and Reval where the fleets at that season of the year could lie in safety, all that could be done was to send out frigates to obtain intelligence, and in the meantime to wait at Elsnabben. News then arrived that the Russian fleet had left Le-Sund for Reval, and an attack upon that place was decided to be impracticable. Norris could not accede to the queen's wishes that he should stay the winter, but said that if she would concert measures with his master he could be back by the time the ice broke up. On the 14th the queen visited the fleet, and there were entertainments and rejoicing. Carteret in his narrative makes much of the general satisfaction.⁶³

As nothing could be done against Russia that season, Carteret and Norris resolved to offer the king's mediation to the tsar, 'hoping by that means to give our merchants time to withdraw their effects out of his country.' The queen and prince said that if he would not accept it, all negotiation should be broken off, and offers cancelled. As Campredon desired that the mediation of France should be offered also, it was so agreed. It was clear, Carteret wrote, from the withdrawal of his fleet, that the tsar would take no risk.

⁶¹ See Jefferyes from Reval, 27 August, o.s., Record Office, Russia 9, and the report of John Dunkin, a trader, 2 September, o.s., *ibid.*, S.P. Dom. Naval 86, and Brit. Mus., Add. MS. 28129. Interesting particulars are given of the works and fortifications at Cronslot and Reval. The printed pamphlet, *Relation Véritable du retour de la Flotte Russe dans les Ports de Revel et de Cronslot, dressée sur des Journaux Authentiques*, Revel, 1719 (copy, Record Office, Denmark 42), gives a Russian account of what occurred subsequently to the sending of Count Golovin to Copenhagen roads. It is said that orders were sent to the fleet to withdraw to Lamland upon the return of Osterman with pressing entreaties from the queen of Sweden for a suspension of hostilities with a view to peace, and that it had sailed for Reval early on 21 August, before anything was heard of Norris's advance, the news of which was first received on its arrival at Reval.

⁶² 7 and 8 September.

⁶³ When at an audience he told the queen that 'le Bon Dieu avoit béni sa glorieuse constance et fermeté,' she replied, 'Ouy, en me donnant le bon Roy d'Angleterre pour amy.' The prince said, 'Mon Amy, ne me regardez pas comme Prince mais comme gentilhomme et officier Anglois. J'ay eu l'honneur de servir plusieurs années dans vos Troupes, et je crois que le Duc de Marlborough et tous vos officiers diront que je n'ai jamais été déserteur. A présent que je rentre dans le service je me comporterai de même, et le Bon Dieu bénira le Roy, ayant si glorieusement soutenu un de ses anciens officiers.'

'His power can never be sufficiently reduced, unless he is attacked by land and sea at once, and unless a great diversion is caused on the side of Poland and Courland.' If the Swedes had not been inspired by the hope of driving him out of the Baltic, 'they had certainly made peace with him, and it would have been their interest to have done so.' It was this consideration that had made them accept the Prussian clause, for that king's neutrality was essential.⁶⁴

The terms of the letters to the tsar⁶⁵ were greatly modified from those which Stanhope had before dictated. He was informed that the mediation of Great Britain, as a power not engaged in the war, had been accepted by the queen of Sweden, that the object of sending the fleet had been partly to protect trade, partly to give weight and support to that mediation, and that the king of England had taken measures with the king of France and his other allies, among whom the queen of Sweden was included, to procure the success which he had a right to expect and put a speedy end to the war. It was humbly requested that during the negotiation the tsar would cause all hostilities to cease. The letters were carried to the Aland isles by one Berkeley,⁶⁶ but they were neither accepted there nor allowed to be sent on to St. Petersburg. So that it was clear, Carteret wrote,⁶⁷ that the mediation would not be accepted, but the war continued. On the other hand, Peter desired the mediation of Holland to prevent a united attack upon him by Great Britain and Sweden. But Kurakin, presenting the proposal, was answered that the States General were rather inclined to use their influence in promoting a general pacification in the north. In view of the great complaints of the treatment of Dutch ships, he recommended his master to release them and their cargoes.⁶⁸

In spite of his declared intention to return at once, Norris was detained at Dalarö by the pressing instances of the Swedes till 20 October. The only operation undertaken was the sailing of Sparre with some frigates for Dantzic to drive away some Russian vessels watching that port and Königsberg. It was unsuccessful, because the Russians had notice of Sparre's coming and moved in under the fortifications of Dantzic, where they were safe.⁶⁹ Norris's

⁶⁴ 2 September, o.s.

⁶⁵ Norris, 31 August, o.s., Record Office, S.P. Dom. Naval 86; Carteret, 1 September, o.s., *ibid.* Sweden 25, and Brit. Mus., Add. MS. 28156.

⁶⁶ Eldest son of Lord Berkeley of Stratton, says Carteret, 7 September, o.s. He was back at Stockholm on 30 September.

⁶⁷ 27 September, o.s. His letter to General Bruce at Lofö, and the reply, Record Office, Sweden 25.

⁶⁸ Despatch of 10 October, Uhlenbeck, *Verslag aangaande een onderzoek in de Archieven van Rusland*. Cf. Bacmeister, III. 209.

⁶⁹ See for particulars Joshua Kenworthy from Dantzic, 11 October, Record Office, Russia 9 (cf. Jefferyes, 5 December, o.s., *ibid.*), and Sparre to Norris, 10 October, o.s., Brit. Mus., Add. MS. 28156.

ime was taken up with consultations upon the operations to be undertaken in the following year and the preparations for them.⁷⁰ As an acknowledgment of the queen's appreciation of his zeal and good-will he received a bill for 1000 ship-pounds of iron, with the further promise of 'a gallanterea,' while his son and the two rear-admirals, Hozier and Hopson, were given gold medals. Some ill-feeling was caused by an alleged statement of Norris, reported to the senate, that had he not been brought to Dalarö the Russian fleet might have been cut off. Carteret thought sufficiently seriously of the matter to get the protocol recording the statement altered. It was Sparre who was blamed. Carteret says that he had many enemies, he could not tell why, but anything against him was acceptable.⁷¹

When at length Norris did sail, he only got as far as Elmsabben, and was there detained by the south-westerly gales, in great difficulties for provisions, till 7 November. Even then he had the greatest trouble in accomplishing his journey southwards, and the whole squadron, some of the ships badly damaged, only assembled in Copenhagen roads on the 18th. As it was now too late to obey the orders he received to come to see the king at Hanover, he sailed for home, and after encountering further violent storms anchored at the Nore on 9 December. He learnt that his conduct was approved.⁷²

Carteret in the meantime had been pressing on the final or 'solemn' treaties with Hanover and Great Britain and peace with Prussia and Denmark. But to obtain the last proved impracticable, until in the following year events beyond King George's influence broke the Danish resolution. All that could be procured was an armistice for six months from 30 October by separate conventions of Denmark and Sweden with Great Britain. With the other treaties a first point was to get them concluded at Stockholm instead of at Brunswick, that is to say, without the intervention of the emperor. The chief argument in opposition was that, the emperor's mediation having been accepted, not to observe the

⁷⁰ See Brit. Mus., Add. MS. 28156, and Record Office, S.P. Dom. Naval 86.

⁷¹ 10 October, o.s., and enclosure, Brit. Mus., Add. MS. 28156. Here may be noted a commercial scheme, not well explained, of which Norris wrote to Carteret: 'Your Lord^{ship} is perfectly in the right notion to have it in the Prince's name, and such a grant for a term of years is almost an estate even to let out to others without adventure, but if this can be well digested we may all in a few years make good fortunes and leave the Prince in the method of great advantage likewise' (17 October, o.s., *ibid.*) Also a curious point of law. Lieutenant Bagnall of the 'Worcester' was murdered on an island near Dalarö by the mate of his ship. Norris found that he had no authority to try offences committed on a foreign shore even by his own seamen, and reflects thereon that the case ought to be provided for by act of parliament (Journal, 8 October, o.s.)

⁷² Journal, and Record Office, S.P. Dom. Naval 86, and Admiralty Secretary, In-Letters 3 (originals).

formalities in regard thereto would be an insult to him and of no advantage to any one; he might indeed refuse to co-operate against the tsar. Carteret was supported not only by Campredon,⁷³ who intimated 'that they have better friends in the world than the court of Vienna,' but also by Count Eric Sparre.⁷⁴ The two former said that the desire of the kings of England and Prussia to have the emperor's mediation mentioned arose from their anxiety to show their attachment and respect to him, and their arguments prevailed. The queen, Carteret wrote,⁷⁵ had agreed to finish the treaties at Stockholm, and to send to the emperor the necessary letter for the investiture of the duchies and to Hanover a formal absolution of their inhabitants from allegiance. 'These are the great points, which will meet with no difficulty as matters now stand, if Mr. Bassewitz has orders sent him to conclude speedily. The Queen, I believe, may be brought to relinquish the titles.' What remained, matters relating to the internal affairs of the duchies, Carteret thought should be settled by commissioners after the treaty was concluded.

With his despatch of 30 September, Stanhope enclosed drafts of two articles to be inserted in the British treaty, the one guaranteeing the treaties of Westphalia with the exception of places named,⁷⁶ the other binding Sweden to listen to no propositions from Spain to the prejudice of the powers engaged in the war with

⁷³ 'I doubt,' wrote Carteret of Campredon, 20 October, o.s., 'whether any of the Solemn Treaties would have been signed at Stockholm, if he had not in the name of France, heartily laboured that point.'

⁷⁴ In a memorial to the queen of 12 September, o.s., Sparre proposed a defensive alliance with Great Britain, France, and Prussia, with reciprocal guarantees, and commercial advantages as against the Dutch; an alliance which, he said, might bring about a breach between Prussia and Russia and force Denmark to make peace. He expressed his belief that the Hanoverian ministers were supporting Denmark. From the emperor, he said, nothing was to be expected but *ambages et longueurs*, and to delay the treaties for reference to Brunswick would be alike dishonourable to Sweden and inconsonant to the wishes of France and Great Britain, the two powers who must co-operate in a plan of campaign against the tsar, and who alone could control the court of Berlin, the most difficult to manage. Sparre, it seems, was distrusted both by Carteret and by the prince of Hesse. Too French, the former said, yet not of the regent's party; a man however of great quality, estate, and interest. The prince desired a hint to be given to Stanhope not to talk with the count, who was about to go on a mission to Hanover, about his private affairs (Carteret, 5 and 9 September, o.s.)

⁷⁵ 27 September, o.s. Carteret had been much hampered, he said, in his work by the illness of the prince and by Dücker's mourning for his wife, whereby he was thrown back on Cronhielm, 'who is an eloquent man, which has cost me much labour and time.' He had been forced to break in upon Dücker's 'retirement and grief, and got him to come out, or else this plain and reasonable matter had not yet been finished.' On 29 October, o.s., he wrote: 'I have got the better of Count Cronhielm in a pitched battle. He has been reprimanded by the queen and prince. I now make my court to him, and by this incident shall finish the treaty sooner.'

⁷⁶ Namely, the provinces ceded to Hanover and Prussia, and Sleswick and Wismar, whose destiny was to be decided at Brunswick.

that country. The importance of a British guarantee of the treaties of Westphalia,⁷⁷ Carteret was told, was obvious, and he might engage himself to it upon condition that the treaties with Hanover and Prussia were completed at once and without delay, though the court of Sweden and Campredon ought to be content with a verbal promise before witnesses. Privately Stanhope wrote :

Au reste, My Lord, ce que j'ay le plus fortement à vous recommander, c'est de finir les Traitez de Messrs. Bassewitz et Knyphausen ; et si pour cet effet vous étiez réduit à la nécessité de donner par écrit la promesse que vous passerez l'Article ci-joint tel que je vous l'envoie, comptez que vous ne serez pas désavoué. Il vaudroit mieux s'en dispenser, si l'on pouvoit, et par une reste de ménagement pour le Danemarck on ne voudroit point signer un tel engagement à son préjudice,⁷⁸ tant qu'il y a la moindre lueur d'espérance qu'il pourroit s'accomoder. Mais si vous ne pouviez finir autrement, donnez leur la promesse par écrit. Vous avez risqué de vous commettre pendant le cours de votre négociation pour le service du Public, et le Bon Dieu vous a béni. Je me commets peut-être en vous écrivant ceci, mais je feray de mon mieux pour soutenir tout ce que vous ferez en conséquence.

The article, Carteret replied, gave him great consolation, it would enable him to cut short a great deal of chicanery.⁷⁹

To Dubois Stanhope wrote (8 October) that Carteret had orders to insert mention of the mediation and guarantee of France in the final British treaty, and to agree with Campredon on the manner in which this should be *énoncé*. As Dubois, he said, had objected, and justly, to France appearing to have procured and to guarantee the second article thereof, which had reference to the maintenance of the protestant religion generally, and would have a good effect in parliament, this would be omitted from the body of the treaty and inserted in a separate article, to which the mediation of France would not extend. As to the treaties of Westphalia, Dubois would see that there was offered a British guarantee of them, which neither Campredon nor the Swedes had asked for. This would serve to stop the mouths of those who objected to the French guarantees of Bremen and Verden and Stettin, on the ground that France derogated from the treaties of Westphalia thereby. For she acquired a British guarantee of the rest, whereas hitherto Great Britain had never contracted any engagement for their maintenance. As this article, Stanhope went on, would be agreeable to France and Sweden, so it would be ill-received at Vienna, and knowledge of it should be kept from that court as long as possible. Carteret was ordered to require secrecy about it at Stockholm till the treaty was signed, and Dubois would permit the same to be requested of him.

⁷⁷ 'Qui font la Base, et pour ainsi dire la Magna Carta de la Cause Protestante aussi bien que des Libertez Germaniques.'

⁷⁸ Stralsund and Rügen not being excepted.

⁷⁹ 20 October, o.s.

The reason for excepting Wismar from the confirmation of the treaties of Westphalia was, that something might be reserved to compensate the duke of Holstein-Gottorp, it being absolutely necessary to leave Sleswick, also excepted, in the hands of the king of Denmark, for otherwise all hope must be abandoned of persuading him to make peace and detach himself from the tsar.⁸⁰ And it was hoped, now that everything that the Swedes could desire had been surpassed, that they would be persuaded to facilitate on their side that peace with Denmark without which they could not put themselves in a condition to make head against the tsar. To drive him back to his old bounds, Stanhope wrote in conclusion, there were two ways—the one for Poles and Swedes to unite in driving him out of Livonia and the neighbourhood, the other for Turks and Tartars to attack him on their side. The king of Poland had already made overtures to this effect, the Turks had good cause for war in that the treaty of the Pruth had not been observed. Stanhope hoped that Bonac at Constantinople might have orders to conduct himself more in accordance with Dubois' ideas than he had hitherto done, in order that a general peace in the north might be accelerated.

Replying to a similar despatch addressed to himself, Stair expressed the regent's satisfaction with everything, and his intention to do all he could to win over Denmark and force the tsar to make peace. The orders to Bonac asked for were to be sent at once. Schleinitz, the Russian minister, having expressed the tsar's willingness to accept the second alternative of the Swedish counter-ultimatum, Stair had replied that this would not do now: the powers interested in the Baltic could not afford to allow him to keep Reval, though a good part of his conquests he might hold with the good-will of everyone.⁸¹ There were great compliments too from Dubois, who professed to regard Stanhope's success as miraculous, and lauded highly his penetration and activity. He hoped that he would now arrive *à bout de pacifier le Sud et le Nord*. Senneterre, he said, was ordered to express the regent's gratitude for the insertion of the French mediation and guarantee, for the decision come to about Stralsund and Rügen, and indeed for all that had been done. And the regent wrote to George in corresponding terms.⁸²

⁸⁰ 'Au reste, ce n'est que par une précaution surabondante que nous avons excepté ce Duché spécialement, et il ne nous paroît point qu'en le cédant au Roy de Danemarck l'on dérogeroit aux Traittés de Westphalie, dans lesquels il n'est compris qu'en termes généraux, sans mentionner à qui il doit appartenir.'

⁸¹ 18 October.

⁸² These letters, 20 October, Record Office, France 165. Stair wrote privately on the same date, noting the good effect on the malcontents at the French court: 'One that has seen the many difficulties of different kinds you had to struggle with, must own, that nothing but the skill and vigour with which these negotiations have been carried on could have brought them to perfection.'

Enclosing to Carteret an extract from the despatch to Dubois above mentioned, Luke Schaub, who was now with Stanhope at Hanover, advised him to have orders sent to Count Bielke, who had been talking unsuitably at Ratisbon and Vienna, to moderate his language.⁸³ He sent also an extract from a despatch from St. Saphorin, the British minister at Vienna:

Assure yourself they are here very jealous of us, and altho' they agree that the treaties we have made with Sweden and Prussia have been necessary, they are nevertheless displeased that the circumstances were such as would fully justify them. And altho' they reap so great an advantage from the ascendant his Majesty has acquired with the Regent, they are also very jealous of it.⁸⁴

The conclusion of the final Hanoverian treaty was still delayed. Stanhope pointed out that the apparent callousness of the Swedes in regard to it would postpone their handling the million crowns, and that if they did not hasten to complete it and the Prussian also, they would not be able to count upon the king's assistance whether in the coming winter or in the spring.⁸⁵ Had Carteret had charge of the treaty it might have been settled by the middle of October, for he wrote that he would have signed a draft given by the Swedes to Bassewitz 'without losing a moment's time, for reasons too plain to be inserted.'⁸⁶ He asked that Bassewitz might have orders to sign at once, or, if any considerable alterations were thought necessary, to say that the first third of the million crowns was waiting at Hamburg to be paid, 'which will be a bait to tempt them.' He complained bitterly of the delays caused by Hanoverian insistence on points solely of electoral interest.⁸⁷

⁸³ 11 October, Brit. Mus., Add. MS. 28156. Bielke had left Stockholm for Vienna shortly after Carteret's arrival, reaching Germany under convoy from Norris.

⁸⁴ 27 September, *ibid.*

⁸⁵ 29 September.

⁸⁶ 2 October, o.s.

⁸⁷ Thus in a private letter of 28 September, o.s., reporting the payment of the 110,000 crowns on Prussian account: 'if Mr. Bassewitz wou'd have ventured, I cou'd have concluded, I verily believe, the solemn treaty at the same time. That affair is now dwindled from a negotiation into a squabble, for the reasons I hint in my publick letter.' If not concluded speedily, it would infallibly be mixed up with the British treaty. Cronhielm said it would be a shame for the duchies to appear to have been sold for a million crowns only, and wanted to have all the advantages of the British treaty recited in the preamble. 'He insists on this maliciously. . . . My L^d, entreat the king to give orders that they do not insist upon trifles, otherwise, with great concern I say it, his business will never be done. . . . If I was to write to y^r L^d all, it wou'd make you sick as it do's me.' And in his ordinary despatch: 'These points must be settled by Commissarys, after the solemn treaty is concluded. They can never keep pace with it, and all this proceeds from that 3rd art., which I sent your Lordship in my letter of the 2nd inst., to which Mr. Bassewitz can get the Plenipotentiarys to give no better name than chicane. Count Cronhielm, who in such matters will yield no man, has in his turn thrust in such things' as only a lawyer could adjust. Then on 2 October, o.s., Carteret sent the conditions which the Swedes now insisted upon having inserted in the body of the treaty and those which they were content to leave to be settled by Commissioners after it was signed, 'neither of which wou'd have been so fill'd, if Mr. Bassewitz had been at liberty to take my advice, & sign the Treaty as

At length the treaty and documents appertaining were signed on $\frac{2}{30}$ November. 'Your Lordship's letter of 29th October, n.s.,' Carteret wrote, 'has cleared up all difficulties.'⁸⁸ He had now taken upon himself his character of ambassador, in order to act properly as mediator of the Prussian and Danish treaties.

The complete treaty differed much from the preliminary convention. The preamble recorded the mediation and good offices of Louis XV for the latter through Campredon (an agreeable fiction). The first two clauses provided for friendship and amnesty, the third confirmed the cession of the duchies, with all rights and privileges appertaining, set out in full particularity; the next four dealt with their internal affairs, maintenance of ancient liberties, freedom of exercise of the reformed religion, redress of old grievances and preservation of old claims, restitution of confiscations due to the war, payment of debts contracted by the regency before the Danish occupation. Under clause 8 the king of England, as elector, agreed to renew former alliances and friendship and the guarantees regarding Holstein-Gottorp *sur le pied de ce qui a déjà été réglé entre les Alliés du Nord, ou qui sera ci-après réglé pour la paix future, et de diriger cette alliance selon la présente conjoncture*; also to pay the remaining two thirds of the million rix-dollars in a single payment within six weeks of the exchange of ratifications.⁸⁹ The ninth article provided that the treaties of Westphalia, so far as not *dérogés* by the present treaty or by the future pacification of the north, should remain in complete force. The tenth reserved power to seek and admit the guarantees of the emperor and others. The last two stipulated exchange of ratifications at Stockholm within two months from signature, and for duplicate copies. Three separate articles specified affairs of the duchies which were to be settled by commissioners.⁹⁰

he once cou'd have got it. . . . They insist upon the King's renewing the Ancient Alliances, as Elector, because it shall not appear that they gave up these Provinces for a million. What those alliances are I don't know, nor does Mr Bassewitz. His orders are to answer *dilatorie* upon that head, for which I don't know an English word. What can a minister do under such orders? These people desire a plain and positive answer. . . . Little points must ever be overlooked in transacting great business in such a ticklish conjuncture as we have here.' And again, 29 October, o.s.: 'Mr. Bernstorff is much dissatisfied with the separate article. He wrote to Schrader to desire me to suspend putting it in execution. I regarded that advice as an honest man should do, with great neglect. Schrader is an honest sensible man, and deserves well of the King for his conduct here, if he had had the *Plein-pouvoir* the treaty would have been concluded some weeks ago.'

⁸⁸ 10 November, o.s. And so to Schaub on the 8th: 'Le moment que je recois la dernière dépêche de Mr Stanhope toutes les difficultés disparaurent.' He went on: 'J'espère de finir le traité d'Angleterre sans attendre le projet. J'ai tant risqué que c'est trop tard de devenir sage.'

⁸⁹ In good double marks or thirds on the Leipzig footing of 1690 at twelve silver marks to the rix-dollar current.

⁹⁰ Copy, Record Office, Treaty Papers 71.

The ratifications were delayed for nearly a month, in consequence says Carteret, of Bielke's reports from Vienna. There is much in the despatches about this, and St. Saphorin was implicated. The Austrians objected to French mediation, and insisted upon that of the emperor at Brunswick. Cronhielm and his party did their best to aggravate the uneasiness felt at Stockholm about offending him. But a letter from Prince Eugene, Carteret wrote, approving both the Hanoverian treaty and the Prussian project, had enabled him to pass off the objections as due to excess of caution on the part of St. Saphorin. He thought that the Swedish Chancery, in writing to Bielke, had confused the Hanoverian and British treaties. 'Nothing,' he said, 'gives me so much pleasure in this business as to see the good-will with which this cession is made.' The queen's titles to Bremen and Verden were still used, for formal reasons, but she had notified her intention to use in future only 'the ancient title of Queen of the Swedes, Goths and Vandals.' The British treaty he was keeping back till the Prussian was settled, for till then he could not 'adjust the guarantees.'⁹¹

But there were later formal changes in the treaty. Carteret wrote in the following year: 'I was yesterday at a conference when Mr Bassewitz delivered the king's ratification. The Swedes will alter theirs as the king desires, and use the words of the formulary, as it was sent in the king's last rescript. The Swedish ratification must be entirely writ over again, . . . till then I don't part with what I have.'⁹²

The final treaty with Great Britain, signed on 21 January, o.s., 1720, was a lengthy and detailed document.⁹³ The preamble stated the desire to renew former treaties, particularly that of 1700, under the mediation and guarantee of France. The parties undertook to discover to each other all dangers and conspiracies, to join their counsels and forces to avert and annul them, to attempt nothing damaging to each other in any way, and therefore not to harbour rebels, much less to give assistance to them, but to deal with them as traitors. There was to be a special defensive alliance for mutual advantage and safety, for the security of the protestant religion, and for protection of dominion and liberty of navigation in northern waters and in the Channel. The mutual succour to be furnished, if required, was fixed at 6000 foot, or the equivalent in munitions of war, forage, ships, &c., at the rate of 4000 imperial thalers a month for each 1000 men; if that succour were not sufficient, then more was to be given, as in the present case, when Sweden was still engaged in war with more than one power. If,

⁹¹ To Stanhope, 4 December, o.s.; to St. Saphorin, 2 December, o.s.

⁹² 17 February, o.s., 1720.

⁹³ Original, Record Office, Treaties 531. Carteret's comments on its provisions with his of 26 January, o.s.)

it was said, the present efforts to end the northern war proved ineffectual, the king of England engaged to lose no further time in them, but to send to the Baltic in the coming spring a strong squadron to be at the disposition of the queen of Sweden and to assist her fleet in repelling the tsar's attack. The ports of either party were to be open to the ships of the other, and those of neutral powers were not to be molested; on the other hand the subjects of neither should be allowed to use the ports to the advantage of the enemy. Conditions for a treaty of navigation and commerce were set out in great particularity. Whereas the parties were exempted by the treaty of 1700 from sending the stipulated succours if themselves engaged in war, and therefore Great Britain had been so exempted during the war with France, but from the end of that war Sweden claimed her subsidies; and whereas satisfaction for damages to trade was demanded by both sides; now commissioners were to be appointed to assess and balance these claims and damages.

The present treaty was in no wise to impugn the sovereignty of the parties in their respective seas. The succours sent might, if desired, be considered as auxiliary, and the party sending them not take part in the war; but no peace nor truce might be agreed to by the one at war without inclusion of the other; while, if both were at war, neither was to agree to preliminaries of peace separately. The exemption to either party from sending succour to the other, if himself engaged in war, was continued, excepting however specially the present war between Great Britain and Spain; and the king of England undertook to send the stipulated ships and subsidies so long as the war with the tsar lasted, and the subsidies during that with Denmark, supposing that, as was not expected, it outlasted the other. The queen of Sweden was on no account to listen to any propositions from Spain, nor to give asylum or any assistance to the pretender or his descendants, nor to the king's rebel subjects, &c., but to maintain and guarantee the protestant succession. As it was of very great importance that the Baltic Sea should not be under the domination of the tsar, if he refused to make peace and restitution, then the king of England would not only help against him as provided, but would use his good offices with his allies to obtain their help also, to enable Sweden to reduce him. The mutual obligations as to succour, however, were not to extend to cutting off all friendship and commerce with the enemy of the other party, but the subjects of the party not at war were to have liberty to trade with such enemy excepting in contraband. Other treaties or conventions were not to be brought forward as excusing from the present obligations. The treaty was to last for eighteen years and to be made perpetual if at any time thought fit. There followed two separate articles. The first was an engagement to combine

counsels and forces in defence of the protestant religion in the empire and everywhere else. The second alleged the advisability of a peace between Sweden and Denmark in the interests of freedom of navigation and commerce in the Baltic, and for the common good of protestants, and to restrain the power of certain neighbours increasing every day ; for which reasons the king of England had not only offered his mediation, which both parties had accepted, but now promised to be security and guarantor of the engagements of all treaties of friendship made by Sweden heretofore with Great Britain and lately with Hanover and Prussia and to be made with Denmark ; and he particularly engaged himself to guarantee and maintain the treaties of Westphalia both as regarded the protestant religion and the cessions made by them to Sweden, so far as not already excepted or to be excepted in the treaty with Denmark or at the congress of Brunswick. Ratifications of the treaty were exchanged on 1st April.

J. F. CHANCE.

Notes and Documents

Caesar's Crossing of the Thames.

FROM Camden's time it has been much discussed whether at Cowey Stakes, about 800 yards above Walton bridge, there was a ford by which Caesar crossed the Thames to attack Cassivelaunus; but it seems to have escaped notice that, before this part of the river was changed by locks and dredging, there was an undoubted ford just above tidewater at Hampton. Drayton says of the Thames—

'Gainst Hampton Court he meets the soft and gentle Mole,
Whose eyes so pierced his breast, that, seeming to foreslow
The way which he so long intended for to go,
With trifling up and down he wand'reth here and there,
And, that he in her sight transparent might appear,
Applies himself to fords.¹

Again, Lord Lumley, bringing Monmouth to London in July 1685, writes from Guildford: 'I think the best way to go will be by way of Hampton, where there is a good ford, and I think [it] is a much better way than by Cobham and Kingston.'² Perhaps the chief attraction of Hampton for Lord Lumley was that he would be expected to go by Kingston bridge, but that is nothing against the ford; the neighbouring bridge at Kingston would absorb all but local traffic, and apparently at last even led to the loss of any general knowledge of a ford on that part of the river. The ford was no doubt just above the Mole, from East Molesey to Hampton.

Must not this ford at Hampton have been the one by which Caesar crossed? He says:—

Flumen uno omnino loco pedibus, atque hoc aegre, transiri potest.
Eo quum venisset, animum advertit ad alteram ripam magnas esse
copias hostium instructas. Ripa autem acutis sudibus praefixis munita,
eiusdemque generis sub aqua defixae sudes flumine tegebantur. Iis

¹ *Polyolbion*, xvii. 26–31. Selden's note to l. 70 of the *Polyolbion* says that the Mole's fall into the Thames is near the utmost of the flood.

² Drayton MS., quoted by Mr. Allan Fea, *King Monmouth*, p. 814.

rebus cognitis a captivis perfugisque Caesar praemisso equitatu confestim legiones subsequi iussit. Sed ea celeritate milites ierunt, quum capite solo ex aqua exstarent, ut hostes . . . se fugae mandarent.³

The Romans, who crossed shoulder-deep, say in about four feet of water, may have avoided the shallowest part because it had most stakes, or the bottom may have changed a little by 1685, but some three and a half or four feet would not be inconsistent with Lord Lumley's 'good ford,' as his party were not on foot. The plural 'fords' in the *Polyolbion* may be poetic, but Caesar's phrase that the river could only be crossed at one place would not exclude two or more fords near together—indeed, they would agree better with the way the crossing was forced. Lord Lumley's ford must have been known to Caesar, for he would have good local information from the Trinobantian prince Mandubratius, who had been with him for some time,⁴ as well as from deserters. He appears, therefore, to have rejected as impracticable for his purpose the tidal ford at Brentford—he would hardly consider any lower down—and his one ford must presumably be the ford at Hampton. So far as the evidence of ancient camps may go, the importance of this ford in British times would be confirmed by the fort on St. George's Hill, which commands the approach between the Mole and the Wey.

From its history we might expect a ford at Kingston, and Horsley was 'well informed that the river is fordable at several places near Kingston;' but he adds that the water was 'not above five feet deep,' so that these were not fords for any but tall men.⁵ At Cowey there was no real ford, for Camden, its discoverer, gives it 'scarce (i.e. nearly) six feet of water;' ⁶ Upper and Lower Halliford near by were clearly named, not from the Thames, but from the crossing of the little Ash which lies between them.⁷ There was a tidal ford at Brentford; it was crossed by Edmund Ironside, though not in face of the enemy;⁸ but (apart from wind) the water begins to rise at Brentford about three and a half hours before high tide, taking as long to fall, and Caesar tells us so much about his ford that, if it had only been available for five to six hours out of twelve, this important fact would surely have been mentioned.

³ B.G. v. 18.

⁴ *Ibid.* v. 20. The Trinobantes occupied Essex.

⁵ *Brit. Romana* (1782), p. 15. (Gough misquotes 'Kingston' as 'Guildford'.)

⁶ *Britannia* (Gough's transl.), i. 168. In 1800–10 a crossing could (only) be traced when the river was very low (Brayley's *Surrey*, ii. 345). The locks below Staines were not made till 1810–15.

⁷ Lower Halliford in Shepperton is not opposite 'the Stakes,' as in Dr. Guest's map (*Origines Celt.* ii. 381–9), but half a mile above, on a different bend of the river. Upper Halliford, an ancient manor in Sunbury, is a mile north of them. The Ash (Echel) is only a brook, but it named Echeles—or Ashford—three miles higher up.

⁸ A.S. Chron. an. 1016. 'Many English were drowned . . . because they pushed on in advance of the army . . . in the hope of plunder.'

Ancient stumps, about fifteen inches round and driven four or five feet into the river bed, have been found at both Cowey and Brentford, and presumed by their finders to be those of A.D. 700, 'as big as a man's thigh,' which were supposed by Bede to mark Caesar's crossing.⁹ But these stumps are too large and driven too deep to be the stakes of Cassivelaunus; there can have been no permanent work at the crossing in 54 B.C., as suggested by Dr. Guest, for the stakes are connected by Caesar, not with the permanent difficulty of the ford, but with the arrival of Cassivelaunus on the north bank, and they were only revealed shortly before the fight by deserters. If they had been permanent, they would have been known to Caesar long before through Mandubratius.

F. H. BARING.

The Wareham Inscriptions.

In the eleventh-century *Chronicon Namnetense*¹ the following passage occurs:—

Fugit autem tunc temporis [that is, when the Northmen were ravaging Brittany] Mathuedoi, comes de Poher, ad regem Anglorum Adelstannum cum ingenti multitudine Britonum, ducens secum filium suum, nomine Alanum, qui postea cognominatus est Barbatorta, quem Alanum ex filia Alani Magni, Britonum ducis, genuerat, et quem ipse rex Angliæ Adelstannus iam prius ex lavacro sancto susceperat. Ipse rex pro familiaritate et amicitia huius regenerationis magnam in eo fidem habebat.

Athelstan came to the throne in 924(–5), and Alan's flight took place in the year 931, as M. Lair in his edition of Dudo of Saint-Quentin (pp. 71 and 185) has shown. I can find no English reference to this arrival of Bretons in England in the tenth century,² but certain inscribed stones in the Church of St. Mary, Wareham, seem to throw an unexpected light on it. These inscriptions are in an alphabet of the tenth century, as far as one can determine, and the personal names they contain have a manifest Breton-like aspect. Built into the east wall of the north aisle are two inscribed slabs, one of which, measuring something over

⁹ For Cowey, see Gough, *ubi supra*; Manning and Bray, *Surrey*, ii. 759, 780; James Thorne, *Environs of London*: for Brentford, Mr. Montagu Sharpe's paper in the *Archæological Journal*, lxi. 25 (1906), and two stakes in the British Museum.

¹ *La Chronique de Nantes*, ed. R. Merlet (Paris, 1896), p. 82.

² The letter addressed by Radbod, prior of St. Samson's, Dol, to King Athelstan shows close relations between the latter and the ecclesiastics of Brittany (William of Malmesbury, *Gesta Pontificum*, ed. Hamilton, p. 399). It reminds Athelstan that his father, *Edgwardus, per litteras se commendavit consortio fraternitatis sancti Samsonis summi confessoris, ac Ioveniani archiepiscopi senioris, ac consobrini mei, ac clericorum eius*. Radbod sends with the letter certain relics of Breton saints which he knows will be dearer to the king than any earthly thing. The letter is ascribed to 'about 925' (*Cartul. Sax.* ii. 319).

two feet in length by a little more than one in depth, contains CATGUG·C FILIVS GIDEO.³ The other, a smaller stone, has the single word GONGDRIE. A broken pillar, now in a side chapel, has fragments of two names . . . ENIEL·F . . . UPBIT I; and on another fragment of a column can be made out IUDN[OI] . . . TCIVI. It is difficult to believe that a community of native British Christians, as Sir John Rhys suggests,⁴ could have been at this period living peaceably at Wareham, a place which in Alfred the Great's time (877) had been a known stronghold of the Northmen. If we combine the date of the lettering with the entry in the *Nantes Chronicle* these records seem to point to Wareham as one of the refuges for the numerous Breton exiles who left their continental home to seek asylum in England.

Comparing the Wareham inscriptions with forms of personal names current in Brittany in the tenth century we find a striking agreement. The Chartulary of the Abbey of Redon, edited by A. de Courson (Paris, 1868), furnishes numerous charters, dated from the end of the eighth century onwards, containing a great many personal names. Here we find forms similar to Catgug[u]c, e.g. *Catuuocon* for Catguc-on (821 A.D.) *Gedeon* (probably an assimilation of a Breton Gedeo or Gideo to the Biblical name) occurs in several charters, one of them belonging to 913 A.D. *Catguc* and *Gedeon* appear also in the 'Book of Llandaff,' a twelfth-century manuscript. Compare *Catuutic* of the Bodmin manumissions,⁵ a manuscript of the tenth or eleventh century now in the British Museum. *Gongdrie* looks like a Frankish female name with a Latin genitive ending. There are many Frankish names in the Redon Chartulary. A *Gundric Presbyter*, for instance, witnesses along with a *Gedeon* to a charter of 871. The missing letter in *-eniel* was probably *D*, for a *Deniel*, son of the count Gurmhailon, witnesses to a charter of 918 which Matuedoi (the exile named above) drew up (*grafiavit*) and signed. A *Juneprit* who witnesses a charter of 820⁶ has the same final syllable as the *-uprit* of the inscription. Compare for the termination *rit* the old Breton names⁷ Ho-brit, Sul-brit, El-brit, Uuenbrit. The *Iudn* of the next inscription has a final letter (or letters) which looks like *o* with an *I* above it, making thus a form like *Judnoe*, which occurs in the 'Book of Llandaff,' the last element may however have been *-imet*, making *Judnimet*, a witness to a Redon charter of 879. Compare *Jud-hent* of the Bodmin manumissions.

* In Sir John Rhys's paper in the *Proceedings of the Dorset Field Club* (xiii. 25) for 1892 *Cattug* is given as the reading, and this form is less disturbing certainly than that here recorded, but a very careful examination shows that the fourth and sixth letters are the same in form, and also identical with the *G* in *Gideo*. The bishop of Bristol took a rubbing of the inscription at the time I last examined it, which agrees with the reading I give.

⁴ *Celtic Britain*, p. 110 (8rd ed. 1904).

⁵ *Cartulaire de Redon*, p. 201.

⁶ *Rev. Celt.* i. 337.

⁷ *Cart. de Redon*.

A few words may be added with reference to the inscribed stone in the porch of the parish church of Lustleigh, near Newton Abbot, Devon. The rector of the parish, the Rev. W. G. Baillie, has sent me some particulars about this stone, which has been worn by the feet of the parishioners passing through the porch for many years. It is now protected by a mat, but the inscription is so much effaced that it is difficult, if not impossible, to make it out. Sir John Rhys, writing to a lady in the parish in 1904, says: 'When I visited the place a few years ago I read the inscription DETLREID OC CON HINOC.' Holder, in his *Alt-Celtischer Sprachschatz* (sub 'Conhinoc'), has the reading: DIXTVIDOCI CONHINOC[1]? The name *Con hinoc*, which Mr. Baillie also copied for me, seems certain. *Con* is a common prefix in Breton names, and Holder (*op. cit.*, sub 'Senacus') cites a Breton *Henoc-us*. Celtic personal names terminating in *oc* are usually contractions of the full double-stem appellation. Thus *Senoc-us* (of which *Henocus* is the Breton equivalent) may be a hypocoristic form of *Senocondos*, or *Seno-gnātos*, or *Seno-Maglos*:—*seno* meaning 'old'; cf. Latin *sen-ex*, and the old Frankish *sini-schal* (*sene-schal*). The old Cornish superlative *Hinhām*, glossed *Patricius*, and the equivalent old Irish *Sinem* illustrate the form *Hinoc*=*Henoc*. Sir John Rhys thought the inscription might be about the ninth century. I have not seen a rubbing or a photograph of it, but the late date ascribed to it by Sir John Rhys brings it within, approximately, the period of the Breton immigration (931 A.D.) recorded in the *Nantes Chronicle*.

It is a somewhat singular coincidence that the Salisbury Cathedral Library has a Gallican Psalter of the tenth century containing a Litany with numerous invocations of Breton saints, and this may possibly have been brought by the exiles. EDMUND MCCLURE.

William fitz Aldelin.

It may be useful to call attention to two charters in the chartulary of St. Bees¹ which have been overlooked in the latest accounts of William fitz Aldelin. To Mr. J. H. Round is due the credit of clearing away the legends about his origin and of tracing his parentage in Yorkshire. He pointed out² that William held a fee of Henry de Lacy in 1166, but no evidence was advanced to identify any precise locality with which he was connected by tenure as distinct from that of Aldelin de Aldefeld, his father. The charters, now printed as it is believed for the first time, show that he was an owner in Kirkby on the Moor or Kirkby

¹ Harl. MS. 434, lib. xii. 3.

² *Feudal England*, pp. 516-18.

Hill, near Boroughbridge. There is, however, another interesting point in these charters. When Mr. Round found 'Radulfo filio Willelmi domini mei' as a witness to a deed of Juliana, wife of William fitz Aldelin, he made the natural suggestion that William must have been married before. It is now clear that the name of the former wife was Eustachia de Curtelun.

There is evidence that Juliana had no heirs male of her body by William, who survived till her death. In 1199 her inheritance in Hampshire was divided between Waleram de Munceaus and William de Waberton as her nearest heirs, the *esnevia* going to the latter.³ Nothing appears to be known about the date of William fitz Aldelin's death. He accounted as sheriff of Cumberland from 1188 to 1197, after which his name disappears. But it should be mentioned that in the Pipe Roll of the same county for 1202 the heir of William fitz Aldelin is made responsible for certain sums due to the crown as issues of the sheriff's office.⁴ There can be no doubt, therefore, that William was dead before 1202.

JAMES WILSON.

Carta Willelmi filii Aldelini de firma in Kirkeby super Moram.

Omnibus sancte matris ecclesie filiis presentibus et futuris, Willelmus filius Adelini, salutem. Nouerit uniuersitas uestra me, intuitu caritatis et pro salute anime mee et antecessorum meorum et pro salute Eustachie de Curtelun, uxoris mee, dedisse et concessisse et hac mea presenti carta confirmasse Deo et sancte Bege, Caupland, et monachis ibidem Deo et sancte Bege seruientibus, in puram et perpetuam elemosinam, duos solidos per annum de firma asisa de Kirkeby super Moram iuxta pontem Burgi, reddendos ad festum sancti Martini. Hiis testibus, Alano cappelano, Hud[ardo] filio Ade, Waltero Alem[anno], Willelmo filio Radulfi, Willelmo Carello, Radulfo de Gattehil, Radulfo Alem[anno], Thoma filio Radulfi, Ricardo preposito de sancta [Bega], Turpino, Theobaldo seruientibus de prioratu, Willelmo de Ponelint, Willelmo Alem[anno], et multis aliis.

Carta eiusdem de eadem firma.

Sciant tam presentes quam futuri quod ego, Willelmus filius Aldelun dedi et concessi et hac presenti carta mea confirmaui Deo et sancte Bege in Cauplandia et monachis ibidem Deo et sancte Bege seruientibus, in puram et perpetuam elemosinam, pro anima mea et pro anima Eustachie, uxoris mee, et pro animabus antecessorum meorum, Godefridum Surrensem cum tota sequela sua et terram quam idem Godefridus tenet in Kirkebeia super Moram iuxta Doddekere, qui inde reddet annuatim predictis monachis duos solidos, scilicet, xij denarios ad festum sancti Martini et xij denarios ad Penthecosten. Hiis testibus, Alano capellano eiusdem uille, Waltero Alemanno, Willelmo filio Radulfi, Thoma fratre eius, Johanne Alemanno, Willelmo Clarello, Godefrido Abb[at]e, Radulfo de Pontefracto, Henrico filio Roberti, Warino capellano castri Karli[ole]n[sis].

³ *Rot. de Oblat. et Fin. (Rec. Com.)*, pp. 19, 310.

⁴ *Victoria Hist. of Cumberland*, i. 392.

The Amercement of Barons by their Peers.

How were earls and barons amerced at the end of the thirteenth century? The Great Charter enacted:—

Cap. 21. Comites et barones non amercientur nisi per pares suos, et non nisi secundum modum delicti.

And Bracton commented on this enactment as follows:—

Comites vero vel barones non sunt amerciandi nisi per pares suos et secundum modum delicti, et hoc per barones de seaccario vel coram ipso rege.¹

Madox hesitated to answer the question; he looked at chapter 21 of the Charter, at Bracton's famous 'gloss,' and then at the precedents which he had collected; he noted the apparent tangle between precept and practice, and left the unravelling of it to others.² By this time many have answered the question; Mr. Pike, for example, in this fashion:—

It became a recognised principle that earls and barons should be amerced according to a definite scale, which may in the first instance have been fixed either by the barons of the exchequer or by the council. As soon as this was adopted earls and barons had their amercements assessed in the courts in which they fell in mercy. Thus as early as the eleventh year of Edward I there were barons amerced in the common bench.³

The *Mirror of Justices* is the authority for the fixed scale; ⁴ and an extract from the Pipe Rolls, cited by Madox, is relied upon as proving an amercement in the common bench.⁵ I will assume for the moment that this evidence is as satisfactory as it appears, and merely observe that the explanation is scarcely intelligible; if the fixed scale was really fixed, there was no assessing to be done; if it was not fixed, the explanation is inadequate. Many other writers have come to similar conclusions and supported them by still less convincing arguments.⁶ The question however is not one of argument but of evidence, and as such I propose to deal with it.

De Legibus Angliæ, ii. 242, ed. Twiss.

¹ *History of the Exchequer*, ch. xiv.

² *Constitutional History of the House of Lords*, p. 256.

³ Selden Society, p. 150: 'Peine peccunielle appelluns nous amerciementz . . . qe ascuns poinz sont en certain e en ascuns pointz nient. En certains amerciementz sunt en certains ascuns foiz solum les dignetiez des gentz, sicom est de contes et des barrons. Car cum tenaunt contie enteree est amerciable a c li. quant meins est amercie. E baron de baronie en entere a c marz. E qi meins entenenent ou plus, solom la quantite de sa tenure.'

⁴ [Essex.] 'Theobaldus de Verdun debet c s. pro falso clamore sicut continetur in rotulo de baronibus amerciatis coram iusticiariis de banco anno sexto.' Pipe Roll 11 Edward I, m. 1 d.; Madox, p. 529.

⁵ Mr. McKechnie, for example, comments thus on the 'official gloss of Bracton:'

Chapter 20 of the Great Charter, which provides for the amercement of freemen, is, we know, little more than declaratory of the law as stated by Glanville.⁷ It is not improbable that chapter 21 was also merely declaratory. We have numerous instances of the procedure in force prior to the year 1215. Reginald de Argenton affords us one instance of a baron in mercy: *amerciandus est ad scaccarium*.⁸ In the case of Alan Fitz-Rolland: *amerciandus est coram rege*.⁹ It is true that we find other formulae: '*misericordia, baro est*;' ¹⁰ '*misericordia, apud Westmonasterium*;' ¹¹ but nothing to suggest that there was ever a third course of procedure. These instances coupled with Bracton's 'gloss'—*et hoc per barones de scaccario vel coram ipso rege*—sufficiently prove that, in Bracton's opinion, chapter 21 had not altered the law: but then, to be sure, this celebrated jurist may have been as perversely minded as Bishop Peter, who dared to assert that the king's justices were the peers of any man, and his interpretations of the law were perhaps no less unpopular.¹²

The procedure subsequent to the Charter appears to have been remarkably uniform, nevertheless we do occasionally hear complaints that the Great Charter is not being strictly observed.¹³ In the case of commoners the following appears to have been recognised as the correct procedure: Commoners were amerced before the king's justices, who did not merely put them in mercy, but with the assistance of the sheriff fixed, provisionally at all events, the amount to be paid by them. The next step was to tax the amercements; this was done usually by the sheriff or his serjeants with the assistance of twelve jurors in full county court. The jurors were requisitioned, not to see that the amercement was proportionate to the offence—this was a question of law and custom

'Barons, under this interpretation of Magna Carta, had their amercements assessed neither by the whole body of "their peers" in a full council, nor yet by a select jury of those peers empanelled in the exchequer for that purpose, but by royal officials, the barons of exchequer or the justices of king's bench. Thus the words of the Charter were perverted by the ingenuity of the crown lawyers to authorise precisely what they had been originally intended to forbid' (*Magna Carta*, p. 348). This argument is obviously unsound. No doubt considerable ingenuity would have been necessary to make the barons satisfied with the reverse of what they wanted and were entitled to; but, in this instance, not the smallest trace of ingenuity is discernible.

⁷ Lib. IX, cap. xi.: '*Est autem misericordia domini regis qua quis per iuramentum legalium hominum de visineto eatenus americiandus est ne aliquid de suo honorabili contememento amittat.*'

⁸ *Rotuli Curiae Regis*, i. p. 170, 10 Richard I.

⁹ *Curia Regis Roll* 42, m. 4 d. 7-8 John.

¹⁰ *Placitorum Abbreviatio*, p. 24, 1 John.

¹¹ *Select Pleas of the Crown*, Selden Society, vol. i. p. 20, 4 John.

¹² See Wendover, *Flor. Hist.*, iii. p. 58, Rolls Series.

¹³ *Statute of Westminster the First*, cap. 6; *Calendar of Close Rolls*, 1272-9 pp. 17, 73, 398, &c.; *Mirror of Justices*, p. 178.

—but to secure that the amount should be modified, if necessary, to suit the means of the individual.¹⁴ These statements require some qualification in particular cases: for example, they only apply to ordinary amercements; amercements of the second degree are said to be *ad voluntatem regis*, and are dealt with somewhat differently.¹⁵ We need not however concern ourselves with exceptional instances. Estreats of all amercements in the various courts (termed *originalia* unless they happened to be duplicates) were lodged in the exchequer, and the sheriff as well as each delinquent had to account for these debts.¹⁶

¹⁴ Although the terminology had varied a little, the practice had not:—

'Samuel presbyter de Pilton reddit compotum de 63l. 12s. 6d. de misericordia. In thesauro 72s. 6d. Et in perdonis per breve regis ipsi Samuel 40l. pro paupertate sua, quia admensuratus est de misericordia c. marcarum in quam positus fuit per Willelmu filium Iohannis per 40 m. per sacramentum vicinorum suorum. Et debet 20l. (Pipe Roll, 14 Henry II, Dorset and Somerset.)

'Et for ceo veut le roi que quant la gent del conte devient estre amerciez, que les amerciementz seient taxez en plein conte par bone gentz et lewe gentz si come il soleit estre e solom le estatut et ne mie a la volente les vesconte ne ses seriaunz.' (Certain statutes made by the king and his council in the county of Westmoreland; Close Roll, 9 Edward I, m. 11 d.)

Bracton, ii. 242: '... et hoc per iudicium proborum hominum de visneto, qui affidabunt simul cum serviente.'

Quia testificatum est coram baronibus xix die Februarii anno regni regis Edwardi xiiii per Salomonem de Roffa et Ricardum de Boylaund iusticiarios domini regis ultimo itinerantes in comitatibus Oxon. et Berk. quod amerciamenta singulorum coram eisdem amerciatorum in itineribus predictis taxata fuerunt per vicecomitem et xii iuratos. Ideo consideratum est quod si qui minus sufficientes inveniantur ad amerciamenta sua domino regi reddenda eadem amerciamenta de xii iuratis leventur' (Exch. Mem. Roll, K.R. 60, m. 19, 14 Edward I.)

It was not invariably the sheriff who superintended the taxation: see, for example, Accounts Exch. K.R., Fines and Amercements, 108/8: 'Compendium extractarum finium et amerciamentorum coram rege de tempore Radulfi de Hengham taxatorum per Gilbertum de Thornton de diversis annis in comitatibus Essex, Hertf., Hunt., Canc., Not., Derb., Leic., Warr.'

'To Robert de Aguillon, keeper of the honour of Arundel. Whereas the king learns by inquisition taken by Ralph de Hengham, in the presence of the archdeacon of Chichester, that from time out of mind, as often as the men of the abbey of Fécamp were amerced in the hundred of Palling for their defaults . . . or for any other cause, those who were put in mercy were wont to find security for their amercement to the bailiffs of the lord of Arundel, and the amercement was wont to be taxed afterwards before the bailiff of Arundel, in the presence of the bailiffs of the abbot of Fécamp, by lawful men of the hundred . . . ' (Cal. of Close Rolls, 1272-9, p. 85.)

¹⁵ Exch. Mem. Roll K.R. 56, 10 & 11 Edward I, m. 2 d.: Gilbert de Corwen makes default for 4 days. He is amerced 100 s. for each of the first three days—'et pro quarto die amerciandus est ad voluntatem regis.' Compare *Borough Customs*, Selden Society, pp. 241, 265.

¹⁶ A roll of estreats (*extractae*) is merely a roll containing extracts from another roll, and is termed an original (*originale*) when it is delivered to the treasurer with a view to the debts contained in it being raised by process of the exchequer; but, although all such estreats are properly described as *originalia*, the last-mentioned term is not generally used except in referring to estreats of fines in chancery. Thus the frequent references in the Pipe Rolls to the original of such and such a year are references to a roll entitled 'Extractae Finium Cancellariae de anno regni regis Edwardi filii regis Henrici xiiii' (or as the case may be). The chief entries on these

In the case of earls and barons the procedure was essentially different. They were amerced like any commoner,¹⁷ but there the similarity of treatment ended. The estreats of amercements from the various courts contain the names, arranged anyhow, not only of the commoners but also of the barons who have fallen in mercy; the latter however are carefully distinguished by the word 'earl,' 'baron,' 'countess,' or 'baroness,' as the case may be, in the margin of the roll, and a blank where the amount would otherwise have been entered.¹⁸ It was not the province of the justices to

rolls are of the following types: 'Prior de Watton dat dim. m. pro uno brevi;' 'Willelmus de Kaynton dat dim. m. pro una assisa capta coram R. de Hengham et R. de Legh;' 'Willelmus Beler dat dim. m. pro uno pone;' but, interspersed among the regular entries will be found several royal writs transcribed in full. These seem very incongruously placed in a list of fines; but they are inserted because of such a nature that notice must be taken of them in drawing up the Pipe Roll, and there exists no more suitable channel of communication between the clerk of chancery and the treasurer. In the so-called *Rotulorum Originalium Abbreviatio*, published by the Record Commissioners, the royal writs are printed and not the regular entries; and, so far as our period is concerned, an entirely erroneous idea is given of the nature of these rolls.

¹⁷ See the case of Theobald de Verdun in the common bench, p. 732, note 5.

Close Roll, 8 Edward I, m. 7: 'Pro Henrico de Lacy comite Lincolnie.—Rex perdonavit Henrico de Lacy comiti Lincolnie decem libras ad quas amerciatus fuit coram iusticiariis ultimo itinerantibus in comitatu Middlesexie pro defaulta communis summonitionis quam idem Henricus tunc fecerat coram prefatis iusticiariis in itinere suo. Et mandatum est baronibus de scaccario quod ipsum inde quietum esse faciant. Teste ut supra.' A hundred similar cases could be cited.

Pipe Roll 125, 9 Edward I, Warwick and Leicester:—

'Philippus Marmion x li. pro pluribus defaultis versus abbatem de Burgo Sancti Petri sicut continetur in quodam rotulo de baronibus amerciatis coram iusticiariis de banco anno sexto et c s. pro pluribus defaultis versus Robertum de Chilton sicut continetur ibidem.'

'Elena la Zuche reddit compotum de xl s. pro eodem [sic] sicut continetur ibidem. In thesauro liberavit et quieta est.'

'Radulfus Basset de Drayton debet c s. pro iniusta detencione coram W. de Wymburne sicut continetur ibidem.'

'Henricus de Erdington c s. pro eodem sicut continetur ibidem.'

'Ela Lungespe comitissa Warr. x li. pro pluribus defaultis sicut continetur ibidem.'

For further examples of the 'amercement' of earls and barons in eyre, see *Cal. of Close Rolls*, 1272-9, pp. 177, 527; 1288-96, pp. 283, 284, 287; 1296-1302, pp. 47, 239, 243.

For forest cases, see *ibid.* 1288-96, pp. 92, 303; and below, p. 736, note 19.

¹⁸ Besides the earl of Lincoln already mentioned, Walter, archbishop of York, also appears from the *Cal. of Close Rolls*, 1272-9, p. 177 to have been amerced at 10l. before the justices at the same Middlesex eyre. The roll of this eyre is preserved (Eyre Roll 538); the amercement of the archbishop and earl is duly recorded therein, but neither is assessed; on the contrary, in each case the word 'baro' is inserted in the margin of the annexed estreat roll, and the amount left blank.

The common bench practice was the same as in eyre. See De Banco Roll 117. This is not a plea roll at all, but a collection of estreats of fines and amercements; among these see in particular Estreats Hilary 22 Edward I, m. 19:—

baro 'Iohanne de Hastings quia non est prosecutus versus Iohannem abbatem de sancto Edmundo de tenemento in villa de . . .

baro 'Radulfo episcopo Norwic. pro pluribus defaultis eo quod non fecit venire clericum suum ad respondendum Roberto de . . .

(vacat de amerciamiento episcopi . . .)'

assess barons. For this purpose a separate roll or schedule was prepared containing the names of the amerced barons with the offences for which they were penalised, and this was sent to the exchequer with the other estreats. Nevertheless, it was customary in many instances, if not in all, for the justices also to enter on this roll what they considered to be the appropriate assessment.¹⁹

¹⁹ Pipe Roll 181, 14 Edward I, Nottingham and Derby: 'Episcopus Karleol. c s. pro pluribus defaultis qui requiruntur super eundem in quadam cedula de baronibus amerciatibus (anno vii) attachiata cuidam rotulo de amerciamentis de banco anno xi.'

Pipe Roll 130, 13 Edward I, Item Sussex: 'Iohannes de Sancto Iohanne c s. pro iniusta detencione sicut continetur in quadam cedula de baronibus amerciatibus attachiata cuidam rotulo de banco anno xi.'

'Iohannes de Warren, comes Surrey, executor testamenti H. le Bigod, x li. pro pluribus defaultis sicut continetur ibidem.'

'Stephanus Cycestrensis episcopus c s. pro pluribus defaultis versus regem sicut continetur ibidem.'

Pipe Roll 128, 12 Edward I, Residuum Kent: 'Abbas de Bello xx li. quia levavit c s. pro evasione Ricardi le Prude fug' contra statuta et aliis transgressionibus sicut continetur in quadam cedula de nominibus baronum amerciandorum de itinere I. de Reygate et sociorum suorum.'

Accounts, Exch. K.R., Fines and Amercements, 108/18 (12-14 Edward I); Roll endorsed:—

'Amerciamenta coram Rogero Extraneo iusticiario foreste citra Trentam anno regni regis Edwardi duodecimo [sic] in comitatibus subscriptis videlicet.' [The list of counties endorsed is illegible, but the roll does in fact contain amercements for forest offences in various counties, including Stafford.]

Schedule to the same:—

In R. 'Rogero de Somery convicto de capcione cuiusdam cervi in foresta
Salop. de Kenefare per familiares suos quos habuit, si placeat regi et consilio
cc m.

In R. 'Nicholao barone de Stafford convicto de capcione cuiusdam cervi et
fecone unius [sic] bisse super Colweheth [sic] in foresta de Cannok, si
placeat regi et consilio cc m.

int. Warr. 'Philippo Marmyon convicto de capcione venacionis et etiam pro
in R. vasto per ipsum facto in bosco de Hopewas [recte Alrewas] pertinente
ad dominicum regis de Wyginton [sic] pro redemptione sua et pro
familiaribus suis et etiam pro (misericordia [?]) cc li. si placeat regi et consilio.

'Non est originale propter causam annotatam in dorso huius cedule.'

Endorsed:—

'Non est originale eo quod Rogerus Extraneus iusticiarius ad placita foreste quae istam cedulam liberaverat ad scaccarium postea liberavit debita in eadem contenta in rotulo de itinere suo in comitatu Stafford sicut idem Rogerus recordatus est coram thesaurario et baronibus de scaocario ad scaocarium et ideo debita in ipsam cedulam intrata in magno rotulo fuerunt retractata.'

For the roll in question see Exch. Treasury of Receipt, Forest Proceedings 188. This is dated 14 Edward I. See also my book *His Grace the Steward and Trial of Peers*, pp. 819-20. Appended are the principal consequential entries in the Pipe Roll with reference to the case of Philip Marmion:—

Pipe Roll 182, 15 Edward I; Warwick: 'Philippus Marmyun dominus de Thame-worth — cc li. de fine pro transgressionem venacionis que requiruntur super eundem in rotulo de itinere Rogeri le Estrange ad placita foreste in comitatu Stafford.'

Ibid., Lincoln: 'Philippus Marmyun convictus de capcione venacionis debet cc li pro redemptione sua sicut supra continetur que requiruntur super eundem in quadam cedula attachiata cuidam rotulo de finibus et amerciamentis coram Rogero Extraneo in diversis comitatibus anno xii et xiii sicut continetur in rotulo precedente quam cedulam idem Rogerus liberavit ad scaccarium sed non debet inde summoniri quia

At this point we must attempt to classify the amercements. Some, we say, were fixed or settled by custom ;²⁰ some were matter of judicial discretion ; while there were certain others, mentioned above, recognised as being *ad voluntatem regis* on account of the more serious nature of the offence.²¹ The first class was dealt with by the barons of the exchequer, and exacted in the ordinary course of exchequer procedure, unless the baron concerned thought it worth while and was able to get an order to stay execution so that his debts might be reviewed in council or parliament. Such orders were frequently made on petition, but whether as a matter of grace or of right does not appear.²² The other two classes were certainly treated as being subject to taxation by the king, and by 'the king' was meant the king in council or parliament.²³ There was probably however this distinction between the two classes: taxation in class 2 could be waived by the baron, and was perhaps seldom resorted to unless the baron himself took active steps in the matter; taxation in class 3 was a royal privilege and treated as

dicta cedula per quam hoc debitum intratum fuit non est originale sicut recordatum est per eundem Rogerum qui extractas earundem co li. postea liberavit ad scaccarium per rotulum de itinere suo ad placita foreste in comitatu Stafford anno xv sicut continetur in cedula predicta.'

²⁰ See below, p. 738.

²¹ Exch. Mem. Roll L.T.R. 60 a (13 Edward I), m. 12: 'Robertus de Brus comes de De viceomite Carric vicecomes Cumb. habet diem ad comparandum die sabbati in festo translationis sancti Thome (martyris) et non venit primo die nec amerciatio. In secundo nec tercio. Ideo amerciatur ad xv li. videlicet pro defaulta rotulo de anno xxliii. cuilibet diei ad c s. et pro quarto die amerciandus est ad voluntatem regis.'

²² A distinction is usually drawn between *debita clara* and *debita non clara*. See Exch. Mem. Roll K.R. 57 (11 Edward I), m. 2 d: the claim against the earl of Norfolk is respited till the next parliament; the debts which are clear and those which are not are to be certified and distinguished. See also Exch. Mem. Roll L.T.R. 60 (11 and 12 Edward I), m. 2 d: claim against earl of Norfolk respited till next parliament; Exch. Mem. Roll K.R. 60 (14 Edward I), m. 15: claim against Theobald de Verdun respited; *ibid.* m. 25: claim against Nicholas le Gras respited till next parliament after Michaelmas. The result of a petition to the king and council sometimes of course resulted in a pardon; see *Cal. of Close Rolls*, 1272-9, p. 461.

An early example of assessment in the Exchequer is cited by Madox from Pipe Roll 9 John, m. 7 d: 'Warinus de Quedic debet c marcas pro eodem sed postea ammensuratus fuit per iustitiarium et barones ad 60 marcas.'

²³ Pipe Roll 125, 9 Edward I, Southampton: 'Isabella comitissa Albemar' reddit compotum de c s. pro evasione Thome Crek sicut continetur ibidem et de x li. pro falso clamore que requiruntur super eundem [*sic*] in quadam cedula de baronibus amerciandis per regem de itinere S. de Roffa. In thesauro xvii li. et habet superplus xl s. qui [&c.] . . .'

Pipe Roll 126, 10 Edward I, Bucks and Bedford: 'Sicut continetur in rotulo de amerciamentis coram rege taxatis.'

Ibid. York: 'Agnes de Vescy c s. pro falso clamore qui requiruntur super eandem in quodam rotulo de baronibus amerciatis coram G. Aguilun et Alano de Walcingham taxatis per regem quare respondet supra per aliud originale.'

At the close of the thirteenth century we find *coram rege* defined over and over again as meaning *coram rege in parlamento*; see *His Grace the Steward and Trial of Peers*, p. 318 et sqq.

such. We do, indeed, find instances of a baron paying in class 3 before taxation, but he gets by this means only a qualified acquittance—*si placeat regi*.²⁴

Of fixed amercements the best example is the penalty for an escape, which well illustrates how technical and elaborate are the rules. The amount payable for the escape of a criminal was the same whoever you were, rich or poor, baron or bailiff; but it varied according to the county: it was 8*l.* in Cumberland, Westmorland,²⁵ Yorkshire,²⁶ Derbyshire,²⁷ and some other counties; the county of Hertford usually paid 100*s.*, but we find the sheriff exacting 10 marks;²⁸ in most counties the amount was fixed at 100*s.*²⁹ These

The following is the case of a baron in mercy *ad voluntatem regis*; Exch. Mem. Roll L.T.R. 60 a, 13 Edward I, m. 14:—

‘[The bishop is in default to the extent of 13,236*l.* 2*s.* 10½*d.*] . . . de quibus adiornatus fuit coram ipso rege usque Cicestriam ad satisfaciendum regi ibidem, qui coram rege et consilio suo personaliter comparuit et recitatis premissis per I. de Kirkeby thesaurarium coram ipso domino rege et consilio suo predicto idem I. thesaurarius prefatum (Stephanum) episcopum Waterford liberavit mariscallo secundum legem et consuetudinem scaccarii ut rex consequenter inde faceret suam voluntatem. Et fuerunt tunc presentes in quadam grangia extra Cicestriam in autumpno anno xiii cum rege Antonius Dunelmensis, Robertus Bathoniensis episcopi, Oto de Grandisono, prefatus I. de Kirkeby, Philippus de Witeby, Ricardus de Brus miles, et plures alii. (See m. 36 for the bishop's accounts.)

The practice in some instances is doubtful; where this is so, precedents are searched for.

Exch. Mem. Roll K.R. 57, 12 Edward I, m. 4: ‘Rex mandat barones quod scrutatis rotulis scaccarii constare faciant ei ante mensem a die Pasche proximo future utrum episcopi Wintonie defuncti temporibus regis Iohannis, Henrici regis patris regis nunc, aut regis nunc, unquam amerciati fuerunt pro transgressionibus venacionis in terris aut feodis suis de episcopatu predicto capte temporibus suis necne, et si aliqui vel aliquis ex ipsis temporibus suis amerciati fuerint vel fuerit ea de causa, qui vel quis et ad quantum et coram quibus.’

²⁴ Pipe Roll 131, 14 Edward I, Residuum York: ‘Thomas de Furnivall reddit compotum de cc m. pro pluribus transgressionibus tam de venacione quam aliis, si placeat regi.’

²⁵ Assize Rolls 131 (Cumberland, 7 Edward I) m. 12; 135 (*ibid.*, 20 Edward I) estreats of amercements, *passim*. On m. 31 of the last roll Robert Brus, earl of Carrick, is amerced 8*l.* for an escape, and on m. 36 Isabella, countess of Albemarle, is similarly amerced; in both cases the amount is entered on the roll.

Assize Rolls 981, 983 (Westmoreland, 7 Edward I); 986 (*ibid.*, 20 Edward I) estreats of amercements, *passim*.

²⁶ *Cal. of Close Rolls*, 1272–9, p. 17: ‘To the Sheriff of York.—William Darel of Broddesworth has shown the king that whereas the escapes of thieves ought to be adjudged before the justices in eyre and not elsewhere, and the amercements thence arising pertain to the king and to no other in the realm, to be levied by summons of the exchequer for the king's use, to wit 8*l.* in that county for every such escape. . . .’

See also Pipe Roll 126, 10 Edward I, Residuum York; Exch. Mem. Roll L.T.R. 60, 11 and 12 Edward I, m. 1 d., archbishop of York amerced 8*l.* for an escape.

²⁷ Assize Roll 153 (9 Edward I), estreats of amercements.

²⁸ *Cal. of Close Rolls*, 1272–9, p. 73.

²⁹ *Ibid.* 1279–88, pp. 205, 223, 262, 308, 324, 338, 343, 385. Pipe Roll 128, 12 Edward I, Essex and Hertford: ‘Humphrey de Bohun, earl of Hereford, amerced 100 *s.* for an escape.’ Pipe Roll 132, 15 Edward I, Item Norfolk and Suffolk: ‘Hugh, bishop of Ely, amerced 100 *s.* for an escape in Norfolk’; ‘Edmund, earl of Cornwall, amerced 100 *s.* for an escape in Suffolk.’

rules however did not apply to the convicted clerk; the penalty in this case throughout England appears to have been 100*l.*; ³⁰ and the fixed character of the penalty ceased where special circumstances existed: for instance, connivance at an escape enlarged the penalty. ³¹ On the other hand, no fixed scale for amercing earls and barons as such can be shown to exist at this time.

Nothing in what I have said above conflicts with Bracton's statement of the law; his statement is lamentably concise and has misled modern writers, but it is perfectly correct. He would be a daring and presumptuous writer who suggested any other conclusion. There remains only the conflicting testimony of the *Mirror of Justices*. When a strictly contemporary writer deliberately asserts: *Car cum tenaunt contie enteree est amerciabile a c li. quant meins est amercie. E' baron de baronie en entere a c marz. E' qi meins entenant ou plus, solom la quantite de sa tenure*; ³² such assertion, no matter how tarnished the writer's reputation, cannot be simply ignored. This is the explanation: the writer has selected for his illustration of a fixed amercement something which is not an amercement at all. The sums of 100*l.* and 100 m. were the amounts payable by earls and barons respectively for their relief, and, if we accept the date 1285-90 for the composition of the *Mirror*, there is a special and characteristic motive for giving this particular example. The relief for a barony was not then fixed; according to the prevailing opinion 100 m. was the proper sum, but the king was still exacting 100*l.*, and he did not give way till some years later. Thus Humphrey de Bohun was charged 340*l.* for his relief: viz. 100*l.* for the 'barony' of William de Mandeville, 100*l.* for the 'barony' of the earldom of Hereford, 50 m. for a third of the fiefs of Adam de Port, 50 m. for a third of the honour of Brecknock, 50 m. for a third of the honour of Radnor, 50 m. for a third of the honour of Abergavenny, and 10 m. for a third of a fifth of the inheritance of the earl marshal; ³³ while, in the 21st year of Edward the First, Alice Mucegros was charged 25 m. for the sixth part of a barony. ³⁴

It would probably serve no useful purpose to go any further into the details of the law relating to amercements. ³⁵ Enough,

³⁰ *Cal. of Close Rolls*, 1296-1302, pp. 46, 52; Pipe Roll 127, 11 Edward I, Residuum Surrey.

³¹ *Cal. of Close Rolls*, 1296-1302, p. 52.

³² Selden Society, p. 150.

³³ Pipe Roll 128, 12 Edward I, Essex and Hertford.

³⁴ Madox, p. 321. For further instances see Exch. Mem. Roll K.R. 46, 55 and 56 Henry III, m. 2: relief of Roger Bigod, earl marshal; *Cal. of Close Rolls*, 1272-9, p. 208: relief of Hugh de Courtenay; *ibid.* p. 286: relief of Robert de Brus.

³⁵ With a view to simplifying the discussion, I have dealt only with amercement by peers, and made no reference to the analogous privilege of judgment by peers; but some portion of the ground traversed is common to both principles. Thus Philip Marmion, in the forest case cited above, was upon conviction adjourned for judgment before the king in parliament.

I hope, has been stated to clear away some remarkable misconceptions, and prove thirteenth century practice to have been fairly consistent with thirteenth century principles.

L. W. VERNON HARCOURT.

Some Letters of Masters and Scholars, 1500-1530.

NONE of the following letters have, so far as I am aware, been printed before. Their only homogeneity is in so far as they serve to throw light on student life in a few universities and schools of the sixteenth century. But letters reflect the opinions and the outlook of their writers with great fidelity, and frequently preserve details of interest which graver historical compositions pass over; and as such these are perhaps worth publishing. P. S. ALLEN.

1. *From Jerome Emser to John Amorbach.*

Basel MS. G. II. 29.

[Basel?]: 30 June 1500.

[Autograph. Emser had matriculated at Basel in 1497-8, and now had under his care the two eldest sons of John Amorbach, the printer—Bruno, born in 1485, and Basil, a year or two younger. After three years at Schlettstadt under Crato Hofman the boys returned to Basel in April 1500. It was proposed to send them to Paris, but for the present their father preferred that they should go to the university of their native town, where they matriculated in the summer of 1500. From this letter it appears that they were entrusted to Emser in the interval, and possibly the circumstances here indicated led to their matriculation. In May 1501 they went to Paris, where they took the B.A. degree in 1504-5 and the M.A. in 1506. It is possible that Amorbach himself was the *herus* in whose house Emser was now living.]

MAGISTRO IOANNI AMORBACHIO MAGISTER HIERONYMUS EMSER
SANITATEM.

Vellem, Magister Ioannes, pro incepta inter nos nuper familiaritate familiariter potius blandiusculeque ad te scribere quam haec ipsa ad quae me necessitas impulit; quae tamen ea modestia dicam, vt ab officio non recedam: tu modo aequo feras animo. Excanduisti, vt audio, iracundior filios tuos a me haberi ludibrio, vapulare, non amari: quasi ego minus sim pater eorum quom eos bene beateque viuere erudio, quam tu qui carnalis dumtaxat vitae massam descidisti. Ah, mi Ioannes, quid est hoc (quod tua pace dicam) morbi, quidue monstri? Adeone omnes fere patres in filiis suis caecutientes, vt nihil videant, nihil audiant, nihil denique cuiquam credant quam ipsis pro aetate et timore ad mendacia promptissimis? Reminiscere, obsecro, iuuentutis tuae. An nunquam simile tibi contigit? Nunquamne culpam figmento aliquo celasti, dissimulasti, negasti? Crede mihi, omnibus hoc inest viciū pusillis istis: dum aemulantur, indignantur et pios monitus odio habent. An non legisti apud Flaccum, Caereus in viciū flecti, monitoribus asper? Itaque si quid filios tuos antehac obiurgatus sum, non odio, testor deum, sed sincera dilectione more paterno illos increpauī; verbis durioribus

vtens, vt illi moribus horridioribus desisterent. Quod vero hesternæ meridianæ solis luce manus etiam obiurgationi conserui, id non ex temulentia (qua semper alienus fui) verum ex officio et (quod tu, si vidisses, diceres) iustissime actum est. Non enim prohibuisti me eos ferire, dum delinquerent. Vnum hoc velim scias me eum non verberasse propter libri mendas, verum ob aliam causam hac poena dignam.

Te vero pro tua prudentia secus decebat. Potuisses enim celata pueris istac mollicie (quoniam suapte paterna abutuntur indulgentia) causam ex me coram edidicisse, que tibi non potuisset non placuisse. Nunc autem et tuipse indignabundus et filius de lenitate erga se tua gloriabundus, ego diligentiae et fidei meae (si sic pergis) poenitebundus. Sed spero dum istas literas legeris, indignationis tuae fluctus paulisper subsidere, teque mente sedata me non penitus ex amicitiae tuae libello proscripturum ire; cui ego non tantum blande quae placita, verum etiam probe quae vtilia sunt et feci et adhuc (quoad tibi placitum fuerit) faciam. Vale.

Ex aedibus herilibus Pridie Kalendas Iulias Anno M^o quingentesimo.

Ovidius de tristibus, iij li.

Quo quisque est maior, magis est placabilis ire,

Et faciles motus mens generosa capit.

2. From Ulrich to Nicholas Ellenbog.

Stuttgart MS. Hist. Q. 99, Ep. 29.

Siena: 17 November 1504.

[Nich. Ellenbog (1480 or 1-1548) was the son of a Memmingen physician. He studied at Heidelberg 1497-1502; and then after a short period at Cracow went to study medicine at Montpellier. In 1503, on a return journey to his home, he caught the plague, and lay ill for three months at Ravensburg. He devoted his life, if he should recover, to the service of God; and in 1504 entered the Benedictine monastery of Ottobeuren, near Memmingen, of which he ultimately became prior.

His correspondence is preserved in nine books, each containing 100 letters copied out with his own hand: it begins with the year of his entry into Ottobeuren and continues more or less in chronological order down to the year of his death. The first two books (from which this and No. 6 are taken) were lost by Ellenbog in 1525, when Ottobeuren was sacked by the Peasants, but are now in the Landesbibliothek at Stuttgart: the remaining seven are in the Bibliothèque Nationale at Paris (MS. Lat. 8648). Among his correspondents were Reuchlin (these letters are printed by Geiger), Erasmus, Pentinger, Pellican, Locher Philomusus, Ottmar Nachtgall, Gallus Knöringer of Füssen, and other humanists. Fifteen letters which passed between him and Wolfgang Rychard, an Ulm physician, in 1541-8, are preserved in the letter book of the latter (see No. 12).

Ulrich Ellenbog was a younger brother. He completed his course at Siena and became doctor of medicine, but on his way home he died at Innsbruck, on 14 July 1512.]

VDALRICUS ELLENBOG NICOLAO GERMANO SUO PRAECIPUO S.D.

Si bene vales, gaudeo; ego quoque prosperis fruor successibus. Litteras tuas per Mediolanum venientes tertiadecima Nouembris accepi. Quare te haud lateat me tibi ante trimestre tempus aliisque germanis de omni conditione mea epistolas Venecias versus procuratori Vechlin

misisse, ab eodemque eas esse presentatas responsum accepi; quocirca ad te nullas peruenisse litteras admiror vehementer.

Vicesimaquinta Aprilis Senas veni, vbi Domum Sapientiae cum satisfactione septuaginta florinorum Renensium per septennium intraui.¹ Et in huiusmodi pecuniarum recompensam victum, cameram, spondam, saccum, lectum, puluinare, coopertorium, capsam, duas tabulas, duo quoque sedilia a prefata domo habeo. In modo studendi res aliter agitur quam tu mihi persuadebas. Oportet enim primum rudimenta logicae ac philosophiam prospicere, et iactis fundamentis medicinam aggredi: sic enim omnes (maiores et minores natu me) facere consueverunt. Qua de re vestigia aliorum sequi cogor; si enim sic nudus medicinam accederem, ab omnibus illuderer. Foelicissime itaque vale, germane charissime, et de mea scribendi imperitia ignoscere ac me fraterne emendare velis precor.

Ex Sena xvii Nouembris MDIIII.

8. From John to Bruno Amorbach.

Basel MS. G. II. 13. 68.

Basel: 23 July 1507.

[Autograph. Bruno Amorbach (No. 1) had by this time completed his university course in Paris, but was continuing his studies there. As this letter brought no reply, his father wrote again on 18 August (Basel MS. G. II. 18. 69); strange to say, with his righteous indignation abated instead of increased. No. 4, which is also an autograph, is Bruno's reply. For a detailed sketch of this period see Fechter's 'Das Studienleben in Paris zu Anfang des XVI. Jahrhunderts,' in *Beiträge zur Geschichte Basels*, vol. iii. (1846) pp. 147-179.]

S.P.D. Bruno, satis admirari non possum quid agas vt tot pecunias consumas. Adduxisti tecum septem scutata, que faciunt nouem florenos Rinen. cum vna testa vel Gallice vno testuno. Et esto quod duo vel ad maximum tria in via consumpseris, remanserunt tibi adhuc quattuor; nisi forte pro collega tuo exposueris, quod ego non iussi. Fortassis pater eius plures habet pecunias quam ego, sed non vult sibi dare; nec ego tibi do vel mitto pecunias vt pro aliis exponas. Satis est mihi vt pro te et fratribus tuis exponam, et reuera plus quam satis. Item accepisti immediate dum venisti Parrhisium a domino Ioanne Watensne² sedecim flor. Rinen., qui faciunt duodecim scutata. Item habuisti pro equo, vt ipse scribis, nouem scutata quae faciunt duodecim florenos Rinen. Item accepisti iterum a domino Ioanne Watensne² sedecim francos, qui faciunt nouem scutata, quae valent duodecim Rinen. florenos; quos exolui Wolgango Lachner in emporio Francoforden. Pastali. Item iam ad festum Ioannis Baptistae accepisti iterum quindecim scutata, quae faciunt viginti florenos Rinen. Connumera simul et fac computum, et habuisti quinquagintaduo scutata ad solem vel septuaginta florenos Rinen. minus duabus testis vel testunis in tribus quartalibus vnus anni.

¹ Siena seems to have been one of the less expensive universities. Chr. Scheurl, writing in 1506, states that a doctor's degree could be obtained at Siena for thirty ducats, whereas at Bologna or Ferrara it would cost fifty. See his *Briefbuch*, ed. von Soden and Knaake, 1867, vol. i. pp. 11 and 48.

² An agent whose name appears frequently in the Amorbach correspondence.

Putas fortassis quod sit mihi asinus qui egerens bombis suis mihi cudat pecunias. Non sic formantur, sed ter quinque excipiuntur. Scis enim quod in duobus annis non impressi.³ Consumimus omnes de capitali. Habeo providere domui meae. Habeo providere fratribus tuis Basilio et Bonifacio, quem misi ad Schletstat. Opus esset etiam ut sorori tuae subvenirem. Instant enim plures graues et honesti viri apud me, quibus non audeo denegare quin eam suscipiam in gratiam. Pensita igitur quod non tibi soli dandum sit, sed pluribus aliis.

Scias ergo pro vero et pro indubitato habeas quod non possum neque volo tibi annuatim communicare ultra vigintiduo vel tria vel ad maximum vigintiquattuor scutata, quae faciunt trigintaduos florenos Rinen. Si poteris ex illis viuere Parrhisii, bene quidem; ego tot tibi per aliquot annos porrigam et praestabo. Si autem 24 scutata per annum tibi non sufficiunt, redi in patriam et ego te in mensa cibabo. Delibera quid facere velis et proximo cum nuncio me redde certiore vel tuiipse venias. Audiui certe a fidedignis viris quod in ciuitate quis honestissime possit stare cum sedecim vel ad maximum cum viginti scutatis. Audiui etiam quod aliquando tres vel quattuor vel plures studentes conducant vnam domum vel cameram, qui simul componant aliquas pecunias et habeant coquum, et quod per hebdomadam aliquando vix vnus consumat testam vel testunum. Si ita est, coniunge te talibus et cum eis parce viuas. Vale. Mater te saluere iubet.

Ex Basilea 23 Iulii Anno domini etc. 1507.

IOANNES DE AMORBACH,
pater tuus.

Brunoni Amorbach Basilien., Parrhisii in collegio bone curiae com-
moranti, filio dilecto.

4. *From Bruno to John Amorbach.*

Basel MS. G. II. 13. 70.

Paris: 16 October, 1507.

Salue, amantissime genitor. Colligere coniectura possum offensionem animi tui me subiisse quod tantum eris alieni conflarim. Fateor reatum meum, forsan et ob id venia dignior; penitens siquidem reus innocenti (ut est apud Senecam) est similis. Verum si rem omnem penitus lustres, profecto non male pecuniam disiectam comperies. Magnam pecuniam pro pensione pinnaria,⁴ nonnihil pro libris et ceteris id genus rebus exolui. Hec quod non ex animi tui sententia fieri video, posthac ne eueniant cauebo.

Venit hisce diebus quidam⁵ ex Italia qui apud nos in publico auditorio lectitat litteras Graecas. Ego hisce litteris diu desideratis et tandem repertis penitus inmersi et ingurgitavi animum, saturaturus, ni fallar, ligurientis ingenii ingluuiem. Etenim et ingenio sua gula, suus est palatus, sicut et sensui: cui indulgere quid iucundius? Quare te

³ The Augustine was published in 1506; but after that there is no dated publication from Amorbach's press until 1510.

⁴ I cannot explain this term. The MS. has *pinnario*.

⁵ Fran. Tissard of Amboise. Shortly after his return he printed the *Erotemata* of Chrysoloras (Paris: Gilles de Gourmont, December 1507) with a preface dated

supplex rogo, mi genitor, vt aliquod mensium interusurium mihi condones, quo et aliquid Grece litterature mecum in patriam deferre possim. Postea simul ac iusseris, in patriam volauero. Pecunia quam mihi offers vtcunque viuere conabor.

Genitrici pientissime, couëterinis ceterisque amicis meo nomine salutem ascribito; idem Magistri Ludouicus Ber, Iacobus Spilman tibi exoptant. Vale.

Parisiis ad decimumseptimum Kalendas Nouembrias Anno domini 10507 [sic].

BRUNO AMORBACHIUS, filius tuus.

Honorabili viro Ioanni Ammorbachio, artium et philosophie
magistro, patri amantissimo. Basilee.

5. *From Boniface to John Amorbach.*

Basel MS. G. II. 13. 80.

[Schlettstadt]: 1508 (?).

[Autograph. Boniface Amorbach (born 3 April 1495), after some months as a private pupil with Conrad Leontorius at Engenthal, south-east of Basel, was sent in the summer of 1507 to school at Schlettstadt, where Gebwiler (No. 14) had now succeeded Hofman. The date in the manuscript may be read either as 1507 or 1508; but the message to Leontorius in the last line (where the manuscript is torn off) indicates that Boniface had passed from under his care.]

S.P.D. Salue, pater dilecte. Litteras tuas percepi a domino Vuolfango Lachner, quibus valitudinem tuam genitricisque mee summatim declaras. Gratias ago omnipotenti Deo. Sepius ad me exarasti litteras vt tibi mitterem Aldum Manucium.⁶ Ego tibi misissem, nullum certum nuncium habui, sed iam tibi eum mitto. In litteris tuis exarasti an libellulos istos vulgares dederim domine Margarethe Treftin. Scias quod dedi atque agunt tibi gratias.

Et etiam scripsisti in tuis litteris vt tibi scriberem quid noster magister faceret. Scias quod de mane Alexandrum facit. Hora nona aliqua carmina ex aliquibus auctoribus, scilicet ex Horatio, Ouidio etc. Post duodecimam in Mantuano.⁷ Die lune ascribit aliqua carmina que probare debemus per quantitates sillabarum. Hora quarta recapitulat que per totam diem habuimus. Vale.

Matrem dilectissimam atque sororem meam saluta atque magistrum Baseliū ac magistrum Brunonem, atque dic ei, quando amplius scribam, ei scribam. Anno M.D. VIII.

BONIFACIUS AMORBACHIUS, filius tuus dilectus.

Pater dilecte eciam mihi velis mittere pellicium, et eciam dic eciam Conrado Leontorio. . . .

[Honor]ando viro ac bonarum artium [magis]tro Iohanni Amorbachio, patri meo dilecto. Basillee.

[Mai]ster Hans Amorbach zu Basell.

⁶ Probably the Latin Grammar printed in February 1501, and designed to supersede that of Alexander de Villa Dei; the latter was however still in use at Schlettstadt.

⁷ Baptista Mantuanus, the 'Christian Vergil.'

6. *From Nicholas Ellenbog to John Hofmaister.*

Stuttgart MS. Hist. Q. 99, Ep. 87.

Ottobeuren [1510].

[For the manuscript see No. 2. John Gesler was the son of Nicholas Ellenbog's sister Elizabeth. In 1512, at the age of fourteen, he was sent to Heidelberg, and lodged with Nicholas's old teacher, Peter of Wimpina, who received him into his house at a charge of 20 florins a year for board, lodging, and probably teaching (*Epp.* 105, 114, 115, 128, 142).]

FRATER NICOLAUS ELLENBOG IOANNI HOFMAISTER S.D.

Honorande vir, gratulor tibi quod iuventuti Memingensi praefectus sis literarii ludi magister. Maximopere autem velim Ioannem Gesler ex sorore nepotem et iuuenem bonae indolis summe commendatum habeas, quem etiam tantum humanitati tuae commendo vt magis non possim. Tu fac matris illius ac meam de te opinionem frustrari non sinas. Et ni sus (vt prouerbio fertur) Mineruam docere viderer, admonerem te vt adolescentem ad hoc astringas vel inprimis vt Donati grammaticam ad vnguem memoriter recitare discat. In exponendis preterea epistolis, siue sint Francisci Philelphi siue cuiusuis alterius elegantis scriptoris, sit frequens. Non enim parum emolimenti ex eis hauriet ad Latinitatem et quidem pressam et elegantem consequendam. Ante omnia autem materna ei lingua interdicator, sit autem Latinus semper; quod si legem hanc transgressus fuerit, vapulet. Verissime enim vulgo dicitur quod verberibus aurum in sinum iunioribus coniicimus. Tu fac pro mea in te confidentia vt iuuenis non modo non negligatur sed quam maxime proficiat. Vale.

7. *From Albert Burer to Basil Amorbach.*

Basel MS. G. II. 29. 48.

Kenberg: 30 June 1521.

[This and No. 8 are autographs. Burer was a native of Brugg, in Aargau, who in 1518 became confidential servant to Beatus Rhenanus. To him are due the five pages of corrigenda appended to the *editio princeps* of Velleius Paterculus; as the result of the final collation with the original manuscript which Burer insisted on making, to remedy the printers' errors. In 1521, as shown here, he went to Wittenberg, whence he wrote some equally informing letters to Beatus Rhenanus in 1521-22. In 1527-8 he went as a schoolmaster to Berne, whence he wrote in 1530 to Vadianus to ask for assistance in securing property due to his wife (*Vadianische Briefsammlung*, edd. Arbenz & Wartmann, part 5, suppl. No. 8). In 1535 he wrote to Boniface Amorbach announcing that he was a schoolmaster, 'Duni in inferioribus septemvallibus,' and proposing to renew their former intimacy (Basel MS. G. II. 15. 841).]

ALBERTUS BASILIO AMORBACHIO SUO S.D.

Salve, mi Basili. Vbi eras cum Basilea discederem? Valedicturus eram tibi, si paulo longius a navi abesse mihi licuisset. Aestus deterrebat te quo minus Wittembergam peteres, at dispeream si vnquam sudauerim. Franci orientales, Duringi, et Saxones adhuc calefaciebant hypocausta sua. Lutherus captus est ab amicis. Vtinam hic esses tamdiu donec videres academiam Wittembergensem; videres profecto quod mirareris. Pro viginti 4^{or} aureis splendide hic viuitur, at ceruisia potanda est.

Illustrissimus Saxoniae dux ordinavit, ut quilibet studens Wittembergae vivere queat pro tribus grossis, pro quinque grossis, ad summum pro septem grossis. His qui pro tribus grossis comedunt non datur ceruisia, qui vero pro quinque grossis comedunt, iis datur cantarus ceruisiae plenus. Qui pro septem grossis comedunt, iis ceruisiae satis potandum datur. Valent autem septem grossi tantum quantum apud vos valent octo plaphardi. Ideo si velis, potes huc ad nos concedere, sed commodius domi viues, iuxta prouerbium, domus amica, domus optima.

In itinere rustici sese mutuo quaerebant, 'bistu gutt Marteinisch?' Et si quis dixisset 'non sum,' sensisset profecto verbera in capite suo. Erphordiae vulgus adiunctis studentibus perrupit aedes sacerdotum. Consistorium, hoc est domus iudiciaria, quarum duo sunt, vnum ad ruffam ianuam, alterum ad viridem ianuam appellatur, solo aequauerunt; calendaria et rationaria omnia concerpserunt. Sacerdotes sesse libenter quinquaginta milibus aureis redimerent, at magistratus Erphordiensis exigit centum mille aureorum.

Vale ex Kenberg prope Wittembergam. Postridie S. Petri et Pauli Anno a Christo nato M.D.XXI.

Eximio viro D. Basilio Amorbachio, amico incomparabili. Basileae.

8. From Albert Burer to Basil Amorbach.

Basel MS. G. II. 29. 46.

Wittenberg: 31 August 1521.

ALBERTUS BURERIUS BASILIO AMORBACCHIO SUO S.D.

Salve, Basili, ac vale, et si Bonifacius frater tuus Basileae sit, eum quoque nomine meo saluere iube; nihil enim noui hic designatum est quod vestra scire referat. Lutherum nondum vidi, et nescio an visurus sim vnquam. Audimus a ministro eius in coenobio Augustinensium Theocriti εὐδαιμονία. Quod si delectat videre Wittembergam et ingentem studiosorum numerum, concede huc: sed praedico tibi, quanto minoris hic, tanto Basileae lautius viuatur; istic enim vina recentia, hic ceruisiam putidam conuiuuiis adhibere solent. Nec admodum male hic comederetur, si modo non omnia Saxonice condirentur. Nos vero quotquot sumus ex Eluetia (sunt enim nostrum plusquam viginti quatuor) proprium hospitem habemus, et is Eluetius est, qui nobis secundum mores nostros coquit. Misere, mi Basili, atque omnium miserrime bibitur; ab aqua ceu a praesenti veneno cauendum est, quod hydropsim gignet. Aer, tametsi vitari nequeat, cauendus est tamen pro diuersitate complexionum. Breuiter nisi Philippus Melanchthon hic literas profertur meliores, et Christum tam feruenti spiritu doceret, [s]ancte iuro me neque diem neque [noct]em hic mansurum. [Bene va]le, charissime mi Basili.

Wittembergae pridie diui Aegidii. Anno natiuitatis Christi M.D.XXI.

Doctissimo viro Basilio Amorbachio, amico in[com]parabili. Basileae.

9. From Nicholas Daryngton to Henry Golde.

British Museum MS. Harl. 6989. 7.

Louvain: 14 February [1522].

[Nos. 9-11 are autographs, of which Brewer has published epitomes (iii. 2052, 2204, 2390). Daryngton was a Senior Fellow of St. John's College,

* The page of the manuscript ends with quinquaginta.

Cambridge, admitted at the opening of the college, 29 July 1518, as a master of arts. His correspondent, who was admitted Fellow at the same time as a bachelor of arts, became chaplain to Warham and was subsequently implicated in the affair of the Holy Maid of Kent and was executed at Tyburn 6 May 1534. See T. Baker's *History of St. John's College* (ed. J. E. B. Mayor), i. 76 f.]

Non debet, humanissime Golde, temporum aut locorum intercapedo diuidere quos amor mutuus prius copulauit; neque decet amicum (qui diu queritur, vix inuenitur, difficilius seruatur) pariter cum oculis mentem amittere. Istud igitur intelligas velim, quod cuncti mei sensus affectu tibi vacant, licet interim loco segreger. Nam et videre te mihi videor et audire; adeo me occupatum habet tui dilectio. Tantundem de te procul dubio sperarem, nisi ingratitude suspicionem aliquam dedisset tam diuturnum tuarum litterarum silentium. Vtere, queso, posthac vicissitudine litterarum, que res sola homines absentes presentes facit; sic enim absentiam corporum spiritus confabulatione solari licet.

Pauca repetam de vita nostra et moribus; nam singula persequi magis longa quam benigna materia esset. Agimus nunc Louanii in Brabantia parum feliciter et cum temporis dispendio; Parisiis enim immorari non siuit belli seuericia fama quam re maior. Sic insecuti sumus hucusque bonas litteras quasi fugientes amatorem suum. Omitto transfretandi periculum in frequente Cardinalis famulatio eodem tempore quo nos solente oram. Taceo nauseam et naualem egritudinem, labores et erumnas vtriusque itineris, periculum inter milites passim vias obsidentes, vini et ciborum penuriam vix credibilem, impensas sine mensura et modo, quibus accessit vel hoc vnum incommodum maximum; nam socius mei itineris, Magister Blythe, statim post accessum huc incidit in febrem vehementissimam, cuius vite ad aliquot dies timebam.

Sunt hic mihi parum iocunda theologie exercitamenta. Frigide legunt, frigidius disputant, omnia, vt ferunt, cum modestia; quam laudarem, si esset absque tarditate et suis nugamentis. Parisiis clamatur vere Sarbonice et voce, quod dicitur, Stentorea: fremunt aliquando ad apumam vsque et dentium stridorem; medio igitur tutissimus ibis.

Est Louaniense oppidum situ quam populo magis gratum. Loca sunt pulchra et menia prospectu amenissima. Sed gentis amor rarus et is vnicus fauor qui pecunia emitur. Egregii sunt potatores, ventris inquam animalia. Maximam gloriam putant in maxima gula; quo quisque est bibacissimus, eo fortissimus. Fecundos calices nunquam purgare desistunt, donec manus pedes oculi lingua ab officiis deficiant; ac hostis es, si exaurienti non respondeas. Cibus apponitur impurus, impinguatus incrassatus et vt ita loquar ex omni parte butyratus; monstruosum plane foret prandium sine butyro.

Ecce descriptus tibi felicitatem Teutonicorum. Nos interim solum admittimus secretum et priuatum studium; nisi quod Mele cosmographiam audiamus sub preceptore non vulgariter docto, nomine Viue, Hispano genere; sub quo et didicimus Iulii Cesaris vitam a Suetonio miro artificio conscriptam. Sentio preterea minus perturbatum bonum studendi ocium hic quam vestre Cantabrigie; nanque apud vos magnam studii partem aufert salutandi frequentia^{*} qua aut vos ad alios pergitis

* Casaubon complains of this trying custom at Montpellier in 1597; see his *Life* by Pattison, 2nd edit. p. 93.

aut ad vos venientes ceteros expectatis. Deinceps itur in verba, sermo teritur, lacerantur absentes, vita aliena describitur, ac mordentes inuicem consumimini ab inuicem : insuper magistratus ambiuntur, desiderantur lucra, negligitur administratio, suffragia prece largitione fallaciis minis extorquentur, competitores diffamantur, vti alterius causa promoueatur, alii subrogantur vt innocentes et (si qui sint) minus corruptos accusent. Talis vos cibus occupat et dimittit. Hec de medio vestrum si tollerentur, vna cum contraneorum affectione, optimam nimirum haberetis rempublicam : et totius orbis (ausim dicere) decus et ornamentum precipuum foret Cantabrigiense gymnasium.

Fama multum constans differtur apud nos Karolum imperatorem visurum breui partes vestras. Bella interim silent, Lutherus dormit. Hic tamen nuper vigilauit vnus ex discipulis eius frater Augustinensis, apud vulgum laudatus concionator, captus tamen a magistris nostris, ligatus, accusatus heretice prauitatis, examinatus, victus, ad ignem (nisi resipisceret) condemnatus. Ignis fidem extorsit quam non potuit rationis vis. Huius articulos vna cum epistola transmissi, cupiens vt videant eos reliqui amici mei, presertim Doctor Watson,¹⁰ Magister Payeus,¹¹ Farman,¹² et Latham,¹³ qui meas litteras sine horum articulorum exemplare recepturi sunt; prius enim ad eos scripsimus quam de articulis aliquid intelleximus.

Mutua orationem ex conuentione vendico, indicans eam, si saltem recte persoluatur, inter mortales summum precium. Cures velim diligenter res meas tue fidei commissas, de quarum dispensatione certior fieri cupio plurimum. Commendo tibi iterum atque iterum Guilhelmum Jeffrey, puerorum vnicum decus, cum reliquis meis alumnis quibus te facio secundum Daryntonum. Salutes oro meo nomine Doctorem Meytcalfe,¹⁴ communem magistrum nostrum, vna cum reliquis collegis, precipue proximum nostrum Magistrum Truslove. Conuenias obsecro aut Magistrum aut Presidentem de impensis nostris litterariis et causam tarde solutionis rescribas ocysime. Denique humillime obtestor vt has litteras vna cum epistola consignatas fideliter transferri cures Northamptoniam vsque. Ioannem Kyrkby vna cum vxore sua plurima salute imparti necnon et Richardum Tayler cum ceteris omnibus quos noueris mea salutatione dignos.

Vale, amice Aurie, et tui Daryntoni nunquam sis immemor.

Ex Louanio in Brabantia postridie idus Februarii.

NICHOLAUS DARYNTON,
tui recordatissimus.

Magistro Henrico Golde, diui Ioannis collegii Cantabrigiensis socio optime merito, hoc tradatur litterarium munus.

From Louan to Cambrydge by Mr. Nycholas Darynton.

¹⁰ The friend of Erasmus, now Master of Christ's College.

¹¹ William Paye, also one of the Senior Fellows of St. John's, admitted in 1516.

¹² Perhaps Thomas Forman, who became President of Queens' in 1525.

¹³ Latimer was at this time Fellow of Clare Hall and strongly opposed to the doctrines of Luther.

¹⁴ Ascham's Dr. Nicolaus Medcalfe, 'a master for the whole, a father to every one' in St. John's: *Scholemaster*, ed. Arber, pp. 133, 4.

10. *From Nicholas Daryngton to Henry Golde.*

Record Office: S.P. Henry VIII. § 24, f. 98.

Louvain: 28 April [1522].

N. DARYNGTON H. GOLDE S.D.

Pridie Aprilis idus, mi humanissime concubiculari, mihi tradite sunt tue littere duodecimo die Ianuarii Cantabrigia emisse; que testes sunt vel locupletissime tui in me amoris non vulgaris: cui vt respondeam, non fucata verba sed veram animam promitto.

Que restant apud te suppellectilia nostra tue fidei committimus; cui et meipsum darem. De culcitra plumea nostra quam petis precio sic respondemus: eam in discessu parentibus dedimus, si saltem velint abducere; quod si abducere nolint, tibi permittimus non maiore precio quam tua ratio dictabit. Ceterum si parentes cupiant, ne neges velim; hii nanque sunt quibus mihi omnino obsequendum est. Maneant apud te libri mei vniuersi, quos velim vt tuos serues.

De morte matris tue et Ioannis Lane epistolam consolatoriam ad te scripasissem, nisi prius nouissem prudentiam tuam in huiusmodi rebus (que supra nos sunt) equanimiter ferendis. Magistri Richardi Smyght mortem adeo immaturam non possum non dolere; apud quem consummate future aliquando eruditionis spem meam locauerim non paruam.

Hoc presente die fama iactatur constans Imperatorem velis equisque, vt fertur, Angliam versus iter accelerare suum; cuius frater, Ferdinandus nomine, nono calendas Maii in Hungariam per nostrum Louanium profectus est, ad profigandum Turcos qui Hungarios inuadunt, nisi mentiatur fama.

De itinere nostro, de locis, de populo ac litterarum studio abunde scripsimus in proximis litteris nostris. Salutes nomine meo collegii nostri Magistrum vna cum collegis et discipulis vniuersis, necnon et ceteros omnes quos mea salute noueris dignos. Commendo tibi iterum atque iterum Guilhelmu[m] Ieffrey ac alios alumnos meos. Cura vt breui rescribas Magistri nostri responsum de stipendio mihi exeunti promisso. Miror plurimum quod non soluitur factori meo: nollem vt me absentem negligat, qui eius sum recordatissimus. Vale, inter amicos amicissime.

Ex Louanio quarto calendas Maii.

Idem NICHOLAUS DARYNGTON, haud aliter quam promiserit tue anime salutis memor.

Salutes alumnum meum Wade; cuius litteras accepimus, responsum daturi alias.

Amico suo inprimis dilecto Henrico Golde, diui Ioannis collegii Cantabrigiensis socio bene merito, hoc detur litterarum munus.

Ex Louanio per N. Daryngton.

11. *From Nicholas Daryngton to Henry Golde.*

Record Office: S.P. Henry VIII. § 25, f. 53.

Louvain: 16 July [1522].

Tradidit mihi gratissimas tuas litteras Roffae scriptas communis amicus Magister Wakfelde;¹⁵ ex quibus intellexi non persistere modo

¹⁵ Perhaps Robert Wakefield, who was M.A. at Louvain in 1519 and taught Hebrew for a short time in the Collegium Trilingue. He was incorporated at

mutuam inter nos conceptam amicitiam, sed et indies magis magisque con crescere. Gratulor plane nos pares esse non solum affectione mentium. verumetiam vicissitudine litterarum. Curabo pro virili posthac ut amoris mei trutina preponderet, ne videatur inertie quoddam esse collodium, semper equa lance censer, modo commeantium facultas non desit amanti. Nescio plane, mi humanissime Golde, quid sthomachum moueret Magistro nostro (cui orationem pariter et obseruantiam debeo), nisi quod fuerim vehementior parum forsitan quam voluit postulando meum. Tunc prudentie quod reliquum est in hoc negotio pecuniario nostro et redimendo hominis fauore tutius committimus; veritus omnino eum nouis litteris compellare, ne fortassis iterum bilem incitarem. Tradas velim patri missuro vna cum culcitra thoralia ipsa; huic enim promisi non lectum solum sed et integra suppellectilia.

Gaudeo Roffensem episcopum tam propiciū esse pro relaxandis statutis nostris: studentibus hec vna lex satis foret, virtutis et litterarum amor.

Salutes velim nomine meo Doctorem Meytcalfe, communem magistrum, Doctorem Watson, Magistros Burgen,¹⁶ Truslove, Hale, Arthur,¹⁷ Langforth, Brygyndyn,¹⁸ Cowper,¹⁹ Bayn, Rudde, Dudley. Deficit spiritus, aliter nominassem plures. Tuum erit nominatim salutare reliquos.

Fertur vulgo Anglum exercitum venisse in Brytanniam, vidisse et vicisse. Vale, nostre amicitie vnica spes.

Ex Louanio postridie idus Iulias.

Rediturus est iste tabellarius.

NICHOLAUS DARYNTON,
amicus non vulgaris.

Dilectissimo suo magistro Henrico Golde, Ioannis collegii Cantabrygiensis college optime merito, hoc tradatur litterarum munusculum.

Ex Louanio per N. Daryngton.

12. *From Daniel Mauch to Zeno Rycharde.*

Hamburg MS. 4°. 49, f. 237.

Cologne: 6 October 1523.

[This and No. 13 occur in the Letter-book of Wolfgang Rycharde, which is in the Offenbach-Wolf collection, belonging to the Stadtbibliothek at Hamburg. The manuscript is not an autograph, but was written under Rycharde's direction in 1584 and later, when, at the request of friends, he collected such of his letters as had survived: the contents are not, however, chronologically arranged.]

Wolfgang Rycharde, of Geisslingen, in Middle Franconia (1486—p. 1544), after becoming doctor of medicine at Tübingen in 1512, settled in Ulm, where he soon became famous for his professional skill. He was a friend of many of

Cambridge with his Louvain degree in 1524, after having succeeded Reuchlin († 30 June 1522) as Professor of Hebrew at Tübingen.

¹⁶ Perhaps William Burgoyne, Master of Peterhouse.

¹⁷ Thomas Arthur, Fellow of St. John's, 1518, and Principal of St. Mary's Hostel in the same year.

¹⁸ John Bryganden was Junior Proctor in 1524.

¹⁹ Perhaps Robert Cowper, Fellow of O.C.C. and afterwards Principal of St. Mary's Hostel.

the humanists of his day, and sympathised strongly with the first beginnings of the Reformation; but, like many others, drew back when moderation gave way to violence. Amongst his correspondents are Locher Philomusus, Urbanus Regius, J. A. Brassicanus, besides Ellenbog (No. 2) and Daniel Mauch. See an article by Keim in *Theologische Jahrbücher*, xii. (1858), pp. 807-878.

Zeno († 1548), his elder son, had his first schooling in the monastery at Wiblingen, south of Ulm, whence he went in 1521 to Freiburg, later in the same year to Tübingen, in 1522 to Ingolstadt, and in 1524 to Heidelberg, where he took his M.A. degree. He had by this time fallen into the evil ways of which there is an indication in this letter, and his father, who was tenderly devoted to him, recalled him to study medicine at home. But the young man soon ran away and wandered to Vienna, and thence to Northern Germany, turning tutor or secretary if any one would employ him; and, though he subsequently took the degree of doctor of medicine in Italy, he came to little good.

Mauch was a native of Ulm, and had a varied career. By 1528 he had taken his B.A. degree at Tübingen and went to Cologne. In 1525 he was in the service of Campeggio's *archisecretarius* at Buda, and accompanied his master on a dangerous journey into Russia in the following year. In 1529 he matriculated at Erfurt, and proposed to teach; but in 1530 he once more took service, as secretary to George of Austria, bishop of Brixen, whom he accompanied to the Diet of Augsburg. In 1534 his master sent him to Louvain to study law, and after two years he qualified for the doctorate; but, being summoned to meet the bishop in Italy in the summer of 1536, he took advantage of a largess from him of fifty *aurei coronati* to take his degree at Pavia, where he was crowned by the hand of Alciati himself. He finally attained to the position of episcopal vicar at Worms.]

CYCLICARUM DISCIPLINARUM CANDITATO ZENONI RYCHARDO, AMICO SUO IURATISSIMO, IN BAUARORUM CHRYSOPOLI BONIS LITERIS OPERAM NAVANTI DANIEL. χαίρειν.

Venit nuper ad me quidam qui voluit ad Ath peregrinari, et attulit mihi literas a magistro Friderico Schauppio summo amico et domino meo atque preceptore et etiam dedit mihi literas a Petro Megenhart, qui iam est magistrandus et fortassis habebit primatum. Ex eius autem literis intellexi quod Ioannes Gencher et Gabriel Stempfel sint Ingoldstadium adituri. Hoc ego inuitissime audiui: et etiam Wilhelmus Steffel ibit cum eis.

Tu eos, si verum est, fuge et caue: scis enim quid tibi fuerint Tubingae pessimi isti nequam; qui vt egregie cyathos euerteres semper impulerunt. Rogo te, noli eos intueri. Si enim Ingoldstadii vixeris quemadmodum vixisti Tubingae, non bene habebis; cum hoc tamen ego etiam audio, quod sint Ingoldstadii excellentes potatores illis omnino non absimiles: quos nisi caueris, pessime tecum agetur. Principiis obsta. Ne loquaris cum istiusmodi nebulonibus, nec vnum cum eis habeto symposium. Si vis bibere, bibe solus in cubiculo tuo vsque dum habes satis. Bibere non inhibeo, sed conuenticula & crebras potationes. Obtempera, rogo, meo consilio et saluus eris in magna requie. Multum ego de te timeo: det Deus quod timeam frustra. Certe Daniel sum, sed non propheta. Sum tamen incipiens poeta, nescio quid mihi dicat paruulus meus digitulus. Non es puer, consule tibi et ama te et me quoque.

Ecce non me fefellit meum augurium. Scripsi maiores literas antequam sciui hoc fore quod illi nequam essent te adituri. Ama

temetipsum, honestatemque cole. Recorderis quantae honestatis habes parentem: noli degenerare.

Vale ex Colonia et responde quamprimum tuum fuerit.
tercia post Francisci Anno 1523.

18. *From Daniel Mauch to Wolfgang Rychar.*

Hamburg MS. 4°. 49, f. 276.

Erfurt: 23 May 1529.

DOCTISSIMO ARTIUM ET MEDICINAE DOCTORI DOMINO WOLFGANGO
RYCHARDO DOMINO SUO COLENDO DANIEL MAUCHIUS ULMANUS S.P.D.

Quando (quod iamdudum timebam) ita accidit vt viuis parentibus orphanus fierem, ipse rebus meis vtcunque consulere coepi. Veni igitur relicto domino meo et abdicata seruitute quae plerunque est sordida, Erphordiam celeberrimum olim Germaniae gymnasium, ibique me contineo in collegio quod vocant Portam Coeli. Habeo discipulos quos deceo qui me pecunia iuuant, vt honeste viuere possim. Cum autem hic sit magna doctorum penuria, ego qualitercunque literis imbutus inter omnino indoctos aliquid esse videor.

Sed vide quaeso quid obstat dignitati meae: petierunt ex me vt publice profiterer (veni enim in amicitiam magnorum virorum). Cum autem magisterii gradum non habeam, stipendia quae alias sunt amplissima de more et consuetudine porrigere quamuis vellent non audent. Petierunt ex me num essem magistrandus. 'Sum' inquam. Tunc illi 'Affer, quaeso, literas et sigillum Academiae in qua studuisti. Nos te vel gratuito vel parua certe pecunia magistrum faciemus.' Ego autem cum in Italiam venissem magisterium et magistras literas parui feci, atque cum essem in Moscouia sigillum literarum quas Tubingae olim mihi dederant perfregi. Literas tamen puto esse in quodam fasciculo qui ex Venetiis mihi allatus est: eum tibi cum aliis quibusdam monstrabit Helena matris meae soror. Si ligatus est adhuc fasciculus ille, solue, quaeso; siue solutus est, omnes partes afferri iubeto et diligenter inspicere num adsint ex Tubinga allatae literae. Eas si inueneris, sigillum quaeso apponi facias; si vero nusquam videbis, cura vt nouae scribantur literae, quae viginti cruciferis comparari possunt. Decanus autem qui tunc erat cum complerem nominabatur magister Fridericus Scaupp de Bessicka, theutonice Bacch, mihi valde amicus.

Inuenies praeterea, nisi omnia dispersa sint, bullam mihi a Cardinali Campegio datam in qua in Comitum Palatinum et Pape accholytum creor; praeterea formatum (vt vocant) primae tonsurae in quo ecclesiastico ordini adiungor. Haec omnia, quia in episcopali ciuitate sum, vsui mihi esse possunt. Vellem igitur Tubingenses sigillatas literas primo, postea bullam, deinde formatum diligenter colligares atque Hieronymo Rottengatter, cum ad Lypsenses autumnales nundinas venerit, dares ad me perferendas. Ego enim ex Lypsia huc afferri curabo. Sin vero citius per aliquem hominem certum Erphordiam mittere potueris, gratissimum mihi feceris.

Vt autem praeter iacturam tuam haec fieri queant, inuenies in rerum mearum fasciculo Physica et Logica Eckiana quae Tubingae docentur: quae ad minus (vt ipse auguror) duobus aureis vel saltem semiduobus vendi possunt: eos libros do tibi plaeam his literis vendendi potestatem.

Cum pecunia quam acceperis puto te nuncium et literas soluturum. Si vero libros tecum habere volueris, donec saluus ad te rediero vel hic aliquid pecuniarum corrasero, scribe totam summam quam exposuisti; ego omnia persoluam. Satis autem mature haec ad me perferentur, si ante Nouembrem accepero. Tamen maiorem in modum a te peto vt quam primum literas ad me scribas quid sis factururus. Vnum oro mihi vt ignoscas, quod tantum tibi alias occupatissimo oneris impono: quod certe non imposuissem, si praeter te qui hoc efficere posset in tota Vlma aliquem cognouissem. Quare per omnia oro quibus aliquid abs te impetrare possum, vt huic dignitati meae vel potius saluti quantum potes consulere velis. Zenonem tuum audiui paulo antequam ego huc veni ex Wittenberga venientem hinc discessisse: eum, si tecum est, meis verbis plurimum saluta. Si ille voluerit, magnam partem huius negotii conficere potest. In litterarum inscriptione, si quas mittere volueris, scribe in Porta Coeli. Bene vale et me commendatum habe.

Ex Erphordia in dominica Trinitatis. Anno 1529.

14. *From Jerome Gebwiler to Boniface Amorbach.*

Basel MS. G. II. 17. 257.

Hagenau: 20 June 1530.

[An autograph. Gebwiler (1478-1545) had been master of the school at Schlettstadt when Boniface was a boy (see No. 5). He left to become cathedral schoolmaster at Strasburg, 1509-1524, and thereafter was master of the school attached to St. George's Church at Hagenau until his death.

This letter answers one from Boniface, of which there is a rough draft in the Basel MS. D. IV. 18. 408. The pupil, whose name is not given in either of the two letters, was John Rechburger, son of Boniface's sister Margaret, who had married a Basel merchant. On 30 October 1530 the boy writes to Boniface announcing his arrival at Hagenau and the commencement of his studies (Basel MS. G. II. 24. 10).]

S. D.

Puerum tibi vel affinem vel cognatum michi commendatum, doctissime vir, modo tractabilis sit, morem tibi gesturus ad aedes meas literis ac moribus imbuendum assumere paratus sum, nisi conditio precii pro annuis expensis soluendi parentes aut tutores grauet. Soluit enim quilibet vnum et xx aureos et pro mensa et doctrina,²⁰ nec vilius hac omnium victualium caritate quenquam assumere queo. Nosti enim, ni fallor, parentes tuos olim cum et blada²¹ et vina ceteraque obsonia vilissime venderentur, michi tua causa xvii aureos per annum soluisse. Vtinam ea tempora redirent. Vellem equidem lubens parem subire conditionem. Preterea si ad me mittatur, vt lectulum cum lintheaminibus, ceruicali aliisque requisitis secum aduehat aut aliunde sibi disponat necesse est; ego enim in his satisfacere nequeo. Quod si in aliis quoque rebus vsquam tibi gratificari potuero, Hieronimum tuum senseris paratissimum. Vale mei,

²⁰ For the price at Heidelberg in 1512 see No. 6, introd. For Bruno and Basil together John Amorbach paid 22 aurei a year to Hofman in 1497 (Basel MS. G. II. 29). In 1531, when Anselm Ephorinus came to Basel, Boniface Amorbach found an honest citizen to take him into his house at a cost of a coronatus per week, 'pro habitatione, victu, et peristromatis lectice' (Basel MS. D. IV. 18. 234).

²¹ Wheat.

vt soles, amans, Hieronimum item Frobenium eiusque affinem Heruagium multa salute verbis meis obruas.

Datum Hagnoae Lune ante diui Ioannis Baptistae natalem. Anno domini xv^c xxx.

Tuus HIERONIMUS GEBUULERUS.

Doctissimo ac consultissimo viro domino Bonifacio Ammerbachio, L. doctori, amico suo plurimum colendo.

*A Note on the Export Trade of Ireland in 1641,
1665, and 1669.*

THE recently published *Calendar of State Papers*, Ireland, for the reign of Charles II contains certain tabulated lists of exports and imports for the year 1665. The extreme scarcity of such material is well known to and has often been deplored by students of Irish economic history. Some years ago, when examining the Southwell Papers (I. 6. 10) in the library of Trinity College, Dublin, I came across certain lists relating to the export trade of Ireland in the years 1641, 1665, and 1669, i.e. before the war, during the cattle trade, and after the cattle trade had been put a stop to by the Act 18 and 19 Charles II, cap. 2. The lists, unfortunately, only give the quantities of merchandise exported in those years, but by using the rates given in the *Calendar* for 1665 I have been able to construct the following table. It may, of course, be objected that the prices of commodities in 1641 and 1669 were not the same as in 1665. I admit the objection, but I have no means of meeting it, and the fact is, on the whole, of little importance. The lists of commodities alone provide us with the means of gauging the effect of the Rebellion and the legislation of 1666-7 on the development of trade in Ireland.

It is to be noted that the figures in brackets are approximate estimates derived from other sources; the items asterisked, viz. kid skins and rabbit skins, are evidently wrongly given in the manuscript and have been corrected from figures given in the *Calendar*. One or two items omitted in the manuscript, as, e.g., shoes, soap, hogs, would bring the total of the year's export for 1665 up to 402,389*l.* as it stands in the *Calendar*, but the figures in the *Calendar* require revision in several instances, as, e.g., hake and pork, where the rates ought to be 1½*d.* and 1*l.* 15*s.* respectively, and not, as given, ½*d.* and 15*s.* On the whole however we have now, I believe for the first time, trustworthy data for forming a judgment of the effects of the war (1641-52) and the Cattle Acts on the economic development of Ireland. I can here only allude to one or two points. In 1641 the trade of Ireland was normal and

Merchaundise Exported	25 March 1641	25 Decem- ber 1669	25 Decem- ber 1665	25 March 1641	25 Decem- ber 1669	25 Decem- ber 1665
				£	£	£
Bacon . . . fitches	297	1,018	1,260	149	509	680
Barley . . . qrs.	—	1,567½	347	—	941	207
Barrel staves . per 1,000	941½	633½	265	2,355	1,582	663
Beans . . . qrs.	—	259	491	—	259	491
Beef . . . barrels	15,215	51,793	29,264	18,698	46,618	26,338
Beer . . . tuns	—	78½	58	—	816	234
Blankets and caddoes .	6,589	189	763	2,187	64	243
Boards and planks . per 100	209	158½	—	[418]	[817]	—
Brass . . . cwt.	114½	25½	—	[573]	[126]	—
Broadcloth . . . pieces	506	29	32	2,732	157	884
Butter . . . cwt.	34,807	58,041½	26,413	43,509	72,562	33,016
Calfskins . . . dozs.	853	1,721	612	426	860	867
Candles . . . cwt.	627½	3,473	1,330	1,255	6,946	2,660
Cheese . . . cwt.	—	1,227	358	—	1,227	358
Deals . . . barrels	—	144½	—	—	?	—
Deer skins . . . pairs	398	94	87	99	23	21
Feathers . . . cwt.	229½	177½	—	[1,147]	[866]	—
Flocks . . . cwt.	45½	10½	39	67	15	58
Fox cases . . . pairs	3,091	3,550	2,814	232	266	211
Frieze . . . yds.	279,722	392,785	444,381	11,650	16,360	18,516
Frieze stockings . dozs.	4,287	1,309½	1,840	2,143	654	919
Goat skins . . per 100	360½	151½	280	1,502	630	1,402
Hake fish . . per 100	830½	1,805	1,488	520	1,128	1,116
Harrings . . barrels	23,811	12,893	16,252	20,979	11,648	14,627
Hides . . .	134,121	217,046	106,344	40,236	65,113	31,903
Hogshead staves . per 1,000	663	281	229½	2,983	1,264	1,084
Horses . . .	199	5,959	4,002	995	29,795	20,010
Iron . . . tons	778	27½	53½	15,560	550	1,116
Kid skins . . per 100	230½	52	*781	288	69	93
Lamb skins . . per 100	1,667	1,157½	1,136	1,215	927	852
Lead . . . tons	201½	1½	—	[4,030]	[30]	—
Linen . . . pieces of 40 ells	—	522	295	—	1,044	590
Malt . . . qrs.	—	2,180½	1,344	—	1,744	1,076
Oatmeal . . . barrels	983	8,014	3,122	492	4,007	1,561
Oats . . . qrs.	2,459	1,648	2,992	820	550	1,000
Otter skins . . pairs	452	414	300	151	138	100
Oxen . . .	45,605	1,454	57,505	79,809	2,544	100,708
Peas . . . qrs.	—	91	25	—	73	20
Pilchers . . . tons	1,263	795	332	12,630	7,950	3,325
Pipe staves . . per 1,000	144	122½	45	1,440	1,270	450
Pork . . . barrels	—	771	1,252	—	1,324	2,191
Rabbit skins . . .	—	*1,873	*860	—	1,373	860
Rape oil . . . tuns	63½	—	—	?	—	—
Rape seed . . . qrs.	1,036	3,334	646	1,036	3,334	646
Rugs . . .	4,778	61	321	2,389	30	160
Rye . . . qrs.	—	126½	—	—	?	—
Salmon . . . tons	525½	965	330½	7,355	13,450	4,623
Serges and stuffs . .	—	315½	224	—	631	448
Sheep . . .	34,845	1,120	99,564	8,711	280	24,891
Sheepskins . . per 100	3,110½	1,627½	1,881	6,480	3,391	3,898
Tallow . . . cwt.	20,135	38,183	21,008	28,189	58,456	23,404
Timber . . . tons	383½	600	190	384	600	190
Train oil . . . tuns	96	107	26½	1,536	1,712	416
Wheat . . . qrs.	—	1,667	875	—	1,998	1,050
Wool . . . great stones	151,576	254,760	131,013	56,841	95,535	49,130
Yarn, linen . . . cwt.	2,921	4,625	3,477	14,605	23,125	17,385
				£393,811	£481,381	£401,586

practically free, even to the extent of the reckless plundering of the forests. The measures taken by Strafford to foster the linen

industry are apparent only in the export of yarn ; but the mineral resources of the country were better exploited than in subsequent years, and the items broadcloth, blankets, and rugs show that the woollen manufacture, if small, was in a healthy and comparatively flourishing condition. Taking the total of export trade we can well understand the annoyance of the industrial population at the misery entailed by the Rebellion. The process of recuperation began in 1655, and proceeded with such rapidity that in 1665 the country had more than recovered the ground lost during the war. But the conditions of trade were no longer what they had been. The woollen industry, for example, had suffered severely, and one branch of the trade, the manufacture of rugs, had practically disappeared. The country had relapsed into a more primitive condition, and the fact that more than one-fourth of the whole export trade of Ireland in 1665 was due to the export of oxen alone is significant of the direction trade was taking. The Act 18 and 19 Charles II, cap. 2, prohibiting the importation of live stock into England, put a sudden end to this state of affairs ; but, as the figures for 1669 show, the Act was no real injury to Ireland, though it may have been, and in my opinion was to England. On the contrary the trade of Ireland was in a much healthier and more progressive state in 1669 than it was in 1665. R. DUNLOP.

Chatham and the Representation of the Colonies in the Imperial Parliament.

CHATHAM, the first statesman to make his countrymen realise the importance of their colonial empire, saw clearly that the troubles of his day with America would never be settled until the relation of responsibility to representation had been determined. In one of his earliest speeches on the subject he pointed out that it was unfair to call upon the American colonies to pay imperial taxes as long as they were unrepresented in parliament. Ultimately his proposal was that taxes should be granted by the colonies for imperial purposes through their congress ; but he appears to have carefully considered the possibility of making the house of commons itself a federal assembly. Among his papers preserved at the Record Office are two schemes drawn up with that object. One of them contemplated the inclusion of Irish representatives ;¹ the other ²

¹ This plan is to be found in bundle 82 (marked ' Miscellaneous ') of the Chatham Papers. It is dated 1770 and signed ' Amor Patriæ.' It proposes 50 M.P.'s and 10 peers for the American and West Indian colonies, and 30 M.P.'s and 10 peers (to be elected) for Ireland.

² This, the plan printed below, is to be found in bundle 97 of the Chatham Papers. The bundle is marked ' N. America ; Undated, and 1764-74.' The plan is unsigned and undated.

and more elaborate plan is worth quoting in full, for, though in some obvious respects out of date, it contains suggestions and precautions as well worth attention now as a century and a quarter ago. That the scheme was Chatham's own in its details is not probable, but in its main outlines at any rate it coincides with his well-known views for making the house of commons more truly representative.

BASIL WILLIAMS.

Scheme for the better uniting and cementing the mutual interest and peace of Great Britain and her Colonies by representation in the Parliament of Great Britain and Dominions thereto belonging, viz.

- | | | | | |
|-----|---|---|---|--|
| (1) | { | Massachusetts
Pennsylvania
Virginia | } | Each 4 members to represent them, or a smaller number at their option. |
| (2) | { | Connecticut
New York
Jamaica | } | Each 3 members, but q. if Jamaica may not expect to be in the 1st class. |
| (8) | { | Canada
E. and W. Jerseys
Maryland
S. Carolina | } | Each 2 members, but q. if Maryland and perhaps S. Carolina may not request to be in the 2nd class. |
| | { | Nova Scotia
New Hampshire
Rhode I.
Lower Counties of Penns.
N. Carolina
Georgia
E. Florida
W. Florida | } | 1 each, but q. if Rhode I., New Hampshire, Barbadoes, Antigua may not request to be included in the 3rd class. |
| (4) | { | Bahamas
Bermuda
Barbadoes
Antigua
St. Christopher
Nevis
Montserrat
Granados
Dominica
St. Vincent
Tobago | } | N.B.—If any of the assemblies of the smaller islands should think the expense of a sole representation by one member to each too heavy an expense, in such case two or more of such may join so they are near and convenient to each other, and to elect either jointly or by turns in rotation. |
| | | | } | When settled. |

1st. These to be elected by each assembly from among themselves.

2nd. It will be needful to exempt them from the same qualifications which are the condition of British members enjoying a seat in parliament respecting the value of their real estates.

3rd. It may be needful to make a clause in the Act that on the dissolving any parliament the same members which represented America in such dissolved parliament should continue to represent them in the next ensuing until others are returned from their respective assemblies in lieu.

4th. It may be needful that a special distance of time be allowed in the new writs for American members beyond the usual time in Great Britain, perhaps six (or not exceeding twelve) months.

5th. The residence (in or near London) of every American member may be constantly required to be left in writing with the speaker of the house of commons.

6th. In order to prevent the evil effect of any mistrust of the colonists being liable to be overburthened with taxes beyond their reasonable abilities, it may be enacted that they shall not be liable to any other internal tax than a pound rate on their estates (unless the assembly of any colony should petition for another mode to them preferable), which pound rate or tax on their estates not to exceed threepence in times of peace nor one shilling in time of war, and on these conditions the mother country to protect and defend the whole, and that without further requisitions.

7th. It's not unlikely that the Americans may wish for some restrictions on their maritime and inland trade to be taken off in case of an union, and that may be considered afterwards.

8th. The Act of Navigation at all events should be preserved inviolate, and as the sixth article is in favour of the colonies, to secure their interest, it's but reasonable this should be added to secure the reasonable interest of the mother country.³

Moritz Brosch.

DR. MORITZ BROSCH, who died at Venice on 14 July last, in the 79th year of his age, was not only an eminent historian but a man of letters of no ordinary type. He won his spurs as a journalist in Vienna so far back as the days of Schmerling, whose 'constitutional' policy, together with the foreign policy of Count Rechberg, found in Brosch, then a much-read writer in the *Wanderer*, one of its most resolute opponents. A German Bohemian by birth and parentage, he through life resented a course of political action which in his judgment could only lead to the extrusion of Austria from Germany. Thus before very long his choice was made; and more than a generation ago he definitively, but at the same time without the shadow of a *pronunciamiento*, abandoned political writing for historical work. But his earlier training stood him in good stead in his later productions.

Already in 1873 he inscribed himself as a regular reader at the Archives of State in Venice, in which city most of the remainder of his life was spent. He seems at first to have intended to devote himself to the study of Spanish history in the age of Charles V; but ill health or other reasons induced him, in his earliest historical

³ It may be noted that the additional members of parliament would number either forty-five or fifty-two, according to the total finally decided in doubtful cases.

publication of which a notice is accessible, to choose a nearer starting-point. His essay on *Pope Julius II and the Papal States* (1878) was soon followed by a more extensive and important work in the same field of historical inquiry. His *History of the Papal States* from the Reformation onwards (2 vols. 1880-2) is one of the most readable, and in all probability also one of the most widely read, of the contributions to the new series of the invaluable *Geschichte der europäischen Staaten*. Its importance lies in the light which it sheds on the history of the papacy in the seventeenth and eighteenth century, a period full of intrigue and secrecy, and particularly in need of what it here receives—a clear and objective treatment. A later, quasi-incidental product of his researches in the Venetian archives was the brief series of *Narratives from the Lives of Three Grand-Wesirs* (Mohammad Sokölly and the two Kiuprillis), which appeared in 1899. But several years earlier—in 1888—these researches had begun to bear fruit in a quite different direction. The novel feature in Dr. Brosch's monograph on *Bolingbroke and the Whigs and Tories of his Age* is the information which it owes to the despatches of Grimani, the Venetian resident at the Court of St. James, and which is particularly illuminating as to the most critical episode in Bolingbroke's political life—the negotiations leading up to the Peace of Utrecht. Brosch was a true lover of England and of English freedom; and, if one might say so, his judgment of Bolingbroke is an English—or at least a national—rather than a cosmopolitan judgment. In the following year he published, also as part of the *Europäische Staatengeschichte*, the first volume of a work which must have occupied him for many years—the *History of England* from the accession of Henry VIII to the Repeal of the Corn Laws (6 volumes, 1884-99). This history was thus planned as a continuation of the earlier volumes contributed to the same series in succession by Lappenberg and Pauli; and no more appropriate tribute could be paid to Brosch than to say that he proved worthy of two predecessors honoured in England as they are in Germany, though only the earlier of the pair has found a translator among us. Few histories of England—whether by an Englishman or by a foreigner—are in truer sympathy with the most characteristic and the most enduring sides of our national life than that of Moritz Brosch, whose sense of justice and self-restraint never deserts him, but who for all that is a genuine Elizabethan in spirit. Personally in his later years a taciturn man, and singularly free in his writings from any visible sign of passion or of bitterness, he was full of deep as well as of generous feeling; and it is honourable to this country that he should have from first to last shown so friendly a spirit to her traditions and aspirations. It may be permitted to mention that after, as late as 1905, he had testified to this goodwill by contributing an

interesting chapter, written with fulness of knowledge, on *The Height of the Ottoman Power* to vol. iii. of the *Cambridge Modern History*, he had undertaken to contribute to a still unpublished volume of the same work a chapter on the affairs of Central and Southern Italy in the eighteenth century when his last illness intervened. It is to be hoped that some fairly complete account of his life and labours may find its way into print; but in any case he is assured an admiring remembrance in this country as well as in his own and in the beautiful city which he loved so well.

A. W. WARD.

Reviews of Books

Aramaic Papyri Discovered at Assuan. Edited by A. H. SAYCE, with the Assistance of A. E. COWLEY. (London: Moring. 1906.)

THE recent publication of a small series of papyri relating to a Jewish colony at Syene in the fifth century B.C. has been among the most interesting of events in the history of oriental and biblical research. To Mr. A. E. Cowley of the Bodleian Library are due the decipherment, the elaborate philological and exegetical notes, and the glossaries. Professor Sayce contributes an interesting introduction, surveying the bearing of the contents of the papyri upon general studies; Mr. Seymour de Ricci provides a complete bibliography, and full Egyptological notes are furnished by Professor Spiegelberg. The papyri, photographed by Mr. Dittrich at Cairo, have been excellently reproduced, and, thanks to the munificence of Mr. Robert Mond, a more exhaustive and accurate edition could not be desired.

The papyri are dated, and thus are of the greatest assistance for the study of similar undated texts. They are written in the Egyptian-Aramaic dialect, and not only furnish an unexpected store of philological material, but emphasise to an unlooked for extent the previous recognition of the value of the earlier dialects for the Aramaic portions of the books of Ezra and Daniel. It is fortunate therefore that the discovery was made in time for the contents to be utilised in the great Hebrew and English Lexicon which has only recently been produced. The earliest papyrus dates from the year 471 or 470, and is a contract relating to a brick wall separating the property of the two Aramaeans Mahseiah the son of Jedoniah and Koniya the son of Zadok. (The consonants are vocalised here after the nearest known forms.) A few years later Mahseiah, 'a Jew,' was summoned by another neighbour, Dargman (apparently a Persian), who claimed an intervening estate; but the former substantiated his rights, and in the second papyrus the latter formally renounces his claim. In 459 Mahseiah's daughter Mibtah-yah was married to a third neighbour, Jezaniah son of Uriah, and one of the papyri endows her with the property which Dargman had unsuccessfully claimed, and enjoins her to keep the latter's deed of renunciation in case of possible proceedings on his part in the future. Thirteen years later Mahseiah gives his daughter the property which he had bought from Meshullam the son of Zaccur. In 440 the daughter's business aptitude showed itself in a contract with the Egyptian builder Pi'.

Somewhat later she married As-Hor, the royal builder, and had two sons, named Jedoniah and Mahseiah. In a subsequent papyrus we find these youths defending themselves against the action brought by Menahem and Ananiah to recover the goods which their father, Meshullam, had entrusted to As-Hor. A few years after this one of Jezaniah's relatives lays claim to the house which Jezaniah had previously given to Mibtah-yah. Finally, in 411, the youths agree to divide between them two of their mother's slaves, a third remaining their joint property in the meanwhile.

The Jews (or Aramaeans, as they are sometimes styled) lived, it appears, under no serious disabilities; the road was open for the acquisition of wealth and property, and they took advantage of it. Their mode of life was not altogether exclusive; intermarriage was permissible, and it is noteworthy that As-Hor becomes known under the typically Jewish name of Nathan. The numerous witnesses mentioned in these business documents frequently bear familiar names (Ethan, Gedaliah, Haggai, Isaiah, Malchiah); some are undoubtedly Persian, and 'Hadad-nūrī, the Babylonian,' evidently had some of his countrymen with him. When appeal is made in the courts of law the oath is administered in the name of Yahu, whose shrine, as can be seen from a comparison of the papyri, lay in the immediate neighbourhood of the colony. On the other hand, when Mibtah-yah and the Egyptian Pi' entered into an agreement the Jewess took the oath by the goddess Sati. Many of the proper names show that Yahweh was worshipped, but it would be useless to speculate on the character of the cult in such a catholic community.

Of no little significance is the fact that these Egyptian-Aramaic papyri use legal terms which find their parallel on Babylonian contract tablets. A thorough study of the evidence from the juristic side has yet to be made, but it is already certain that, although there is no slavish imitation, commercial usage in this part of the west was not uninfluenced by Babylonia. Now, the general conditions in Syene find their analogy among the archives of the old-established firm of Murāshu & Sons, which the Babylonian expedition of the University of Pennsylvania unearthed at Nippur. There, too, people whose names are Babylonian, Persian, and Jewish jostled one another in daily life, and lived under a Persian rule, which did not overthrow previous conditions, but left its stamp upon them. Contemporary evidence and later written tradition for the tolerance of the earlier Persian kings at least, together with the proof of the persistence of earlier phases of culture in two widely separated centres, falls into line with the evidence from the intervening lands. Cuneiform tablets of the middle of the seventh century from Gezer, traces of Babylonian influence at Têma, in North Arabia (probably of the fifth century), and the manner in which purchase deeds were drawn up in Palestine in the time of Jeremiah are the *membra disiecta* of a skeleton which is in course of reconstruction. From the time of the discovery of the Amarna tablets each year has brought the history of Palestine into ever more unmistakable connexion with that of the neighbouring lands. There has been much hasty generalisation, illegitimate exaggeration, and inopportune compromise, and it may be remarked that to-day the theory of an elaborate and widespread *Astrallehre* throughout the ancient

oriental world has its brilliant exponents abroad, whose works find their disciples and a large circle of readers. But apart from the exaggerated extent to which enthusiasts almost invariably push their doctrines, the recent accumulation of external evidence has thrust itself upon biblical research ere it has reached a position to grapple adequately with the new facts. Hence the frequent promiscuous combination of evidence of all kinds, the well-meant efforts to adjust traditional views by the arbitrary selection of a conglomeration of details; hence also the failure to view the distinct groups of evidence in their proper perspective, and a one-sidedness of judgment due to an incomplete survey of all the necessary auxiliaries of knowledge. It is at least certain that the legitimate inferences from all these material discoveries must be pursued to their logical ends. If it should become impossible to deny that Palestine was merely part of a greater area subject to a common influence, it would result that this influence was not confined merely to external features alone. It must have permeated life and thought to such an extent as to justify the critical view that the traditional account of the history and religion of Palestine, as it has come down to us, is the outcome of a lengthy development, of a rewriting and reshaping the character of which is still only imperfectly known. Therefore it is to external evidence that one must look for fuller light upon vicissitudes which often have hardly left their mark upon the extant written sources, and the fast—almost too fast—accumulation of data invites that co-operation and mutual sympathy among specialists which secures the advance of knowledge.

In conclusion it is to Egypt that we owe these eleven unique papyri with their wealth of detail; it was Egypt also which gave us the 'Nash' papyrus, the oldest specimen of biblical Hebrew, with characteristic readings earlier than the canonical text. The preservation and recovery of a bunch of business documents therefore is not merely extremely welcome, in itself, it allows the possibility of future discoveries of vastly greater significance.¹

STANLEY A. COOK.

The Greatness and Decline of Rome. Vol. I. *The Empire-builders.* Vol. II. *Julius Caesar.* By GUGLIELMO FERRERO. Translated by ALFRED E. ZIMMERN, M.A. (London: Heinemann. 1907.)

THESE two volumes form the first instalment of a work which aims at giving nothing less than an authoritative account of the rise and fall of the Roman empire. The Italian original has already been carried down to the death of Augustus, and even if he should proceed no further, the

¹ Since this was written the *Biblical World* for September has given a brief account of an Aramaic papyrus described by Professor Sachau, in which the high-priest of the temple of Yahweh at Elephantine complains to the Persian governor of Palestine that the Egyptian priests in the course of a revolt against Persia had destroyed a temple which the earlier Egyptian kings before the Persian age had allowed them to build. This remarkable document is dated (according to our authority) in the fourteenth year of Darius (II, i.e. 410 B.C.), posterior both to the Deuteronomic and priestly teaching of the single orthodox sanctuary of Jerusalem and to the prophecies against Egypt ascribed to Jeremiah.

first part of the author's task will have been completed. Signor Ferrero claims a hearing for his views in no subdued tones. 'One of the greatest mistakes made by all historians of Caesar.' . . . 'Here again historians are wrong.' Such are the phrases which he flings in the face of critics time after time. The challenge is one which cannot be refused, the more so as the indisputable brilliance of his style and the extreme modernity of his ideas will doubtless gain many readers for his book.

We should pass too severe a judgment if we were to say that it is a book which does not deserve to be read. The great moral and economic crisis of the ancient world has its analogies with that through which our own society has begun to pass. It is true that the difference in material conditions is immense, and that the political solution which was found by Augustus is impossible to-day; but the psychology—and pathology—of our own contemporaries lends itself to a comparison with that of Caesar, Cicero, and their fellow-Romans, and the author of *L' Europa giovane* is no mean observer of human nature. Thus, if scholars and specialists have not much to learn from his pages, a wider circle of readers will find them well worthy of their attention. Such passages as the following should serve to diffuse in many minds ideas which, perhaps, are at present familiar to students alone.

Of late years the Italian had become nervous, excitable, and unbalanced. He seemed continually to be oscillating between the opposite poles of character—between an egoism brutalised by sensuality, and a moral sensibility sharpened by education and refinement, between wild and spasmodic outbursts of pride and cruelty, and the lingering influences of patriotism, piety, and justice, to which he was acutely and morbidly responsive whenever personal pleasures and ambitions remained unaffected. It was a condition with which the modern world is painfully familiar. Italy was living through the fever of moral disintegration and incoherence which assails all civilised societies that are rich in the manifold resources of culture and enjoyment, but tolerate few or no restraints upon the feverish struggle of contending appetites. . . . [Italy] was faced with the same three torturing contradictions which baffle the wisdom of twentieth-century statesmanship. There is the contradiction between the sentiment of democracy and the unequal distribution of wealth; between elective institutions and the political indifference of the upper and middle classes; and lastly between the weakening of the military spirit and the heightening of the national pride, between ambitious dreams of war and conquest and the distaste among all classes for active fighting.

There is much acuteness, too, in such remarks as that which Signor Ferrero makes upon the haste with which Hellenism was assimilated by the Romans.

Within the space of one short generation [this, of course, is understated] Rome was living, with a feverish intensity, through the successive phases of a civilisation which it had taken five centuries to bring to perfection.

Unfortunately Signor Ferrero is a slave of paradox, and at times he oversteps the limits within which that artifice is permissible. Let us quote two sentences:

His part in the history of Rome is so analogous to that of Napoleon in the history of Europe that we may perhaps justly define him as the Napoleon of the last century of the Republic. . . . Not long was to elapse before his wild and

soaring spirit, after enjoying for a brief space the late found happiness of repose, reached the end of its term, having achieved, in ignorance, like all its fellows, one of the mightiest tasks in history.

These two passages refer to the same person, and that person is—Lucullus. For it seems that he was the 'missionary of empire;' not only, nor chiefly, because he showed 'personal initiative' in the Mithridatic war, but because, by means of the Sybaritic dinners served in his villa on the Pincian, he 'taught' his countrymen 'how to employ the riches which he had placed in their hands,' and 'by a true, if unconscious instinct . . . became the apostle of the civilisation of the Hellenised Orient, with all its refinement and all its depravity.' It is by such absurdities as these that the author destroys our confidence in his judgement, and makes us feel a profound distrust of his verdict on such delicate questions as the 'nervous psychology' of Caesar.

Signor Ferrero is not merely a lover of paradox; he essays to be a critical historian, and fails in the attempt. We may not be prepared to guarantee the accuracy of every statement in Caesar's *Commentaries*; we may think that Nissen has made out a good case for the belief that Caesar's movements on the outbreak of civil war, and just before it, are falsely narrated in the opening chapters of the *De bello civili*; but we cannot believe that the evidence of Cassius Dio carries weight against that of Caesar in the story of the campaign against Ariovistus or of the operations about Ilerda. Nor is it possible to follow Signor Ferrero in his bold reconstruction of Caesar's first campaign in Gaul, on the assumption that the northerly route taken by the Helvetii (on finding the Rhone valley closed to them) was chosen in order to effect a junction with Ariovistus. Here, as often, the author is anxious to show that Caesar made blunders. Of course he did. 'The man who never makes mistakes never makes anything.' But that he mistook or misstated the facts with regard to his own and his enemies' movements in 58 B.C. we have no reason to suppose. It is not by such arguments as those here adduced that the world will be convinced that 'every Italian who had read a line of Xenophon was in a position to improve upon the strategy of his campaigns.'

Enough has been said to show that Signor Ferrero is no safe guide in matters where sober historical criticism is needed. It must be added that in its English dress his work has many blemishes for which we must hold the translator responsible. He has, indeed, succeeded in rendering the original Italian into vigorous, idiomatic, and highly readable English; but he has shown no care in correcting his proofs. There are not only misprints such as 'exploitating' (vol. i. p. 310), and misspellings such as 'Antonius' for 'Autronius' (vol. i. p. 217) or 'Vicius' for 'Vibius' (vol. ii. p. 154). There are forms which recur so persistently that we can hardly think that they were not deliberately set down. Such are 'Arunculeius' (vol. ii. p. 32, &c.), 'Promptinus' (*ib.* p. 146, &c.), 'Actius Varus' (*ib.* p. 206, &c.), 'Archesilaus' (*ib.* p. 276 *bis*). Worse than all, there are not a few spellings which either reproduce or are wrongly anglicised from Italian forms, e.g. 'Popilius Lena' (vol. ii. p. 312, &c.), 'Dorilas' for 'Dorylaus' (vol. i. p. 93, &c.), 'Arsaniades' for 'Arsanias' (*ib.* p. 174, &c.), 'Rindacus' (*ib.* p. 142, &c.) And the barbarous form 'Cneius' occurs in every instance but two (vol. i. pp. 118, 217). We hope that if

a new edition is called for, Mr. Zimmern will look into these matters; also that he will no longer describe Aurelia as the 'sister' of Marius, nor dull the point of Catullus's epigram by translating *per consulatum peierat Vatinius*, 'Vatinius swears he is sure of the consulship.'

H. STUART JONES.

Zwei griechische Apologeten. Von J. GEFFCKEN. ('Sammlung wissenschaftlicher Kommentare zu griechischen und römischen Schriftstellern.') (Leipzig: Teubner. 1907.)

BOTH Aristides and Athenagoras have recently been edited, but Dr. Geffcken has found it worth while, as it undoubtedly is convenient, to print a critical Greek text of their apologies, filling up the gaps in the Greek of Aristides by a German translation from the other versions. A commentary follows, but a commentary with a definite object. The author desires to make a contribution to the history of Christian apologetic. Accordingly, he gives an account of the other apologists besides Aristides and Athenagoras, and he devotes his notes mainly to topics which illustrate the place occupied by those two writers in the general development. It would be out of place to concern ourselves here with the philological details which occupy most of the volume. We can only draw attention to the advantages of Dr. Geffcken's method, and suggest its possible limitations.

The Christian apologists have generally been treated from a purely theological point of view. Probably it is true that their theology, Christological and anthropological, is the most important thing about them. Yet there are advantages, even from the theological point of view, in a discussion which approaches them on the literary side, endeavouring to discover their affiliation to each other and to their sources. There are advantages also in considering their subject-matter as a whole, in relation rather to their opponents, with whom they have so much common ground, than to their fellow-believers, with whom they were no doubt in more general agreement, but whose intellectual interests and horizon were often quite different. There is no doubt that Dr. Geffcken makes good his claim to treat the apologists seriously, as living writers. There is no doubt also that he succeeds in drawing attention to many weak spots in their intellectual equipment. But his method has at least one characteristic danger. In an historical presentation like his, it is natural to draw attention to the points which are new in a given writer and are not merely repeated from his predecessors. The procedure is legitimate enough. Yet surely it is not wise to forget the purpose of an apologetic writing. There may be little or nothing that is new in an argument, and yet a new touch or a new sincerity may convert it into an effective instrument. Dr. Geffcken intends his criticisms, which are often couched in strong language, to apply only to literary judgments; but it may be doubted whether some of his readers may not be in danger of taking them too generally. He is entitled to his opinion on Macarius, for instance, and it may be arguable that that writer 'did not possess the smallest talent for apologetic.' But though he may be passed over very briefly from the point of view of the historical development of apologetic,

it does not follow either that the work of Macarius was not an effective pamphlet for its time, or that its writer was not a very interesting person.¹ To take another instance, is Dr. Geffcken quite fair, except from his own strictly limited point of view, to the *Contra gentes* of Athanasius? Its form may be inartistic; there may be repetitions and defective arrangement; but most of those who read it, reading it as an apologetic treatise standing by itself and without reference to its sources—reading it in fact as the author presumably intended it to be read—regard it as impressive and effective. Dr. Geffcken (who admits, by the way, that this work requires a fuller investigation) may be justified in his depreciatory criticism on the ground of originality; but his readers must beware of forgetting the strictly limited position from which this criticism is made.

On its own subject Dr. Geffcken's work is excellent, and it may well prove indispensable. The subject is mainly literary—the literary affiliation of the apologists—and it falls rather outside our present scope. For Dr. Geffcken, an apologist reaches high rank in so far as his arguments are new. The test is a legitimate one for certain purposes, but few would be prepared to admit it as a completely satisfactory test for apologists. The warning examples in modern literature suggest that the newest apologetic arguments are not infrequently among the worst.

P. V. M. BENECKE.

Der Brief des britischen Königs Lucius an den Papst Eleutherus. Von ADOLF HARNACK. ('Sitzungsberichte der königlich Preussischen Akademie der Wissenschaften,' 1904, xxvi, xxvii.) (Berlin: Reimer. 1904.)

THE short statement which occurs in the *Liber Pontificalis* under *Papa Eleutherius*, from which the Venerable Bede derived his story of the Eleutherian mission to Britain, runs as follows:—

Hic [Eleutherius] accepit epistolam a Lucio Brittanio rege, ut Christianus efficeretur per eius mandatum.

In Bede, and again in a ninth-century manuscript preserved at St. Gall, the narrative appears in an amplified form, the later version claiming the British king as the apostle of Raetia and first bishop of Coire, where his relics are preserved and venerated in the cathedral. Monseigneur Duchesne regards the story as purely legendary, and considers that it may have been invented as early as the fifth century.¹ Haddan and Stubbs assign it to the time of Prosper. Father W. H. Anderdon, relying upon the authority of the *Liber Landavensis*, accepts Bede's version of the story as historical,² as do also Canon McCave, D.D., and Fathers J. D. Breen and J. B. Mackinlay,³ who also refer to the martyrologies of St. Ado of Vienne and of Notker of St. Gall, given in Migne's *Patrologia* (cvi. 1169, cxxiii. 83, 270, cxxxi. 1089, clx. 60).

Pope Eleutherius succeeded Soter, who was martyred A.D. 175, and himself suffered martyrdom seven years later. The records of his ponti-

¹ The *Journal of Theological Studies* for April and July 1907 contains a valuable study of Macarius, by the Rev. T. W. Crafer.

² *Liber Pontificalis*, i. ciii. f. 186.

³ *Britain's Early Faith*, p. 33 et seq.

⁴ *Continuity or Collapse*, p. 18.

ificate are few, and among them there is no reference of any description to the remote island of Britain, except the passage in the *Liber Pontificalis*. No British kings however ruled in the island at that period, nor, indeed, until after the withdrawal of the Romans in 410. The *Liber Pontificalis* however distinctly describes Lucius as *Britannio rege*, though Lucius was certainly not a Celtic name, and its celticised form Llleuwer Mawr—'Great Light'—was clearly an afterthought of the Celtic hagiographers, who had fastened upon and again amplified Bede's version, going so far as to provide the complete genealogy of Lucius for several generations,⁴ together with the names of the missionaries who were sent from Rome by Pope Eleutherius at the British monarch's request. So important an event as the conversion of the Britons in the second century could not have escaped notice or mention until after the lapse of several hundred years, so that the credibility of Bede's story is almost forfeited *a priori* by reason of its late appearance. More than three centuries had elapsed from the date of Eleutherius's death before the entry in the *Liber Pontificalis* made its appearance. Monseigneur Duchesne ascribes its origin to some Roman source, and Professor Zimmer alone considers it to belong to Britain.

Professor Harnack's study of the fragment newly discovered of the *Hypotyposes* of Clement⁵ caused him to observe, in Zahn's *Forschungen*, iii. 70, a quotation relating to the tombs of the Apostles, said to have been derived from the *Hypotyposes*. The quotation runs as follows:—

Petrus et Paulus Romae sepulti sunt; Andreas Patrae civitate Acaiae; Iacobus Zebedaei in arce Marmarica; Ioannes in Epheso; Philippus cum filiabus suis in Hierapoli Asiae; Bartholomaeus in Albone, civitate maioris Armeniae; Thomas in Calaminia civitate Indiae; Matthaeus in montibus Parthorum; Marcus Alexandriae in Bucolis [these two words are missing in one MS.]; Iacobus Alphaei iuxta Templum; Thaddaeus et Iudas in Britio [v. l. Beruto] Edessenorum, &c.

The words *Britio Edessenorum* at once suggested the possibility that a clue to the curious word *Britannio* as it occurs in the *Liber Pontificalis* might be found here. It appears that, by the end of the second century, only one king had adopted Christianity, which religion his kingdom had also embraced. This king was Abgar IX, of Edessa, who reigned from 179 to 216. The date of his conversion is uncertain, but an entry in the *Chronicle of Edessa* for the year 201 states that a great flood in that year destroyed the sanctuary of the Christian church. The king of Edessa at this time was known not only by the name Abgar bar Ma'nu, but also as Lucius Aelius Septimius Megas Abgarus IX bar Ma'nu, the names Lucius Aelius being adopted in honour of Commodus. Abgar IX is the only monarch known to have borne the name of Lucius. Now he was in Rome during the time of Septimius, and the *Acta Addaei* connect the first bishop of Edessa, Palut, with Serapion of Antioch, who was consecrated by pope Zephyrinus. This pontiff became bishop of Rome in 193 and was martyred in 208. His predecessor was Victor I,

⁴ Iolo MSS. p. 495.

⁵ Lipsius, *Die apokryphischen Apostelgeschichten*, i. 214, ii. 2, 161, and *Ergänzungsband*, p. 17.

the immediate successor of Eleutherius. It is related by Eusebius that the church at Osrhoëne, and the towns in that part, sent a letter to Rome about the year 190.⁶ Certain relations between Abgar IX, his subjects, and the city of Rome evidently existed at that period. It may well be conjectured that during Abgar's sojourn in Rome he consulted the pope regarding his contemplated change of faith, and that he may, later, have sent letters to the pontiff by the hands of Roman missionaries who were labouring in Edessa.

The question of his transformation into a British king remains to be considered. The apostles Thaddaeus and Jude, as we have seen, are said by the *Hypotyposes* of Clement to have been buried in *Britio Edessenorum*. According to Dr. Harnack, it is almost certain that the word *Britio* was misread by some early medieval scribe for an abbreviation of *Britannio*. Dr. Harnack notices that the see of the bishop of some now unknown city in Arabia, who subscribed the decrees of the Council of Nice, appears in one Syriac list as *Brtny*,⁷ which might without difficulty be read as an abbreviation of *Britanniae*. The tomb of St. Jude in *Britio Edessenorum* was in the castle—*Britium* or *Birtha*—of Edessa, the home of Lucius Abgar IX, and the history of this castle is well known. Hallier says:—

In the south-west, on the spur of the mountains of Edessa, stood the citadel, containing the winter palace of King Abgar IX, which is reached by the high-road known as Beth Sahrâyê.⁸

In the ninth-century *Chronicle of Edessa* it is stated that 'in the year 205 Abgar built the *Birtha* (palace) in his town.' St. Jude's tomb has been pointed out in the city of Edessa certainly from the third century, and the *Birtha*, or castle, of Edessa is the *Britium Edessenorum* where Lucius Abgar resided. The entry in the *Liber Pontificalis* was, then, intended to record the fact that pope Eleutherius received a letter from Lucius Abgar IX, king of the *Britium*, or castle, of Edessa, that by the pope's command he might be made a Christian. The original reading may be thus restored:—*Eleutherius accepit epistolam a Lucio rege Birtio (Edessenorum), ut Christianus efficeretur per eius mandatum*.

Dr. Harnack⁹ shows that Julius Africanus in his *Kestoi* inspected the archives of Edessa when compiling his history of the kings of that city, and that he gives a great many particulars of Lucius Abgar IX. From him it is probable that the entry in the *Liber Pontificalis* was originally derived, and there is no reasonable doubt of its correctness. The change from *Britio* to *Britannio* was doubtless due to the innocent mistake of a transcriber, who thought he was correcting an error by adding the three letters *ann* to the probably unintelligible word *Britio*. The addition however was momentous in its results, for it was destined to bestow upon Britain a king, upon Switzerland an apostle, upon Coire its first bishop, and upon the church a saint, whose relics are

⁶ Harnack, *Missionsgeschichte*, p. 441.

⁷ *Patrum Nicaenorum Nomina* (1898), p. 126.

⁸ *Untersuchungen über die Edessensiche Chronik*, p. 84.

⁹ *Chronologie*, ii. 161.

held in veneration, whose cave and well are pointed out at Coire, of whom wondrous things are related, and whose office is recited by the devout clergy of that diocese and of the diocese of Augsburg, annually, upon the festival appointed in his honour.

ARNOLD HARRIS MATHEW.

Procopii Caesariensis opera omnia. Recognovit JACOBUS HAURY.
Vol. III. 1, 'Historia quae dicitur arcana.' (Leipzig: Teubner. 1906.)

THE critical edition of the *Anecdota* of Procopius which Krasheninnikov published in 1899 is completely superseded by the new text of Haury. The Russian editor was not only unacquainted with the best manuscript (Parisinus Suppl. Gr. 1185), but he failed to recognise the value of the two next best, both of which he collated (S = Ambrosianus G 14 sup., and G = Vat. Gr. 1001). He regarded as the coryphaeus Vat. Gr. 16, which, as Haury has shown, was copied from S and G. In consequence of these errors the text of Krasheninnikov rested on a false basis; but he made a few useful though not very important emendations. Haury's studies, deeper and more complete, have enabled him to secure the text on firmer foundations, to protect it in many cases against unnecessary change, and to restore the sense in a number of passages obscured by corruption. Some of his criticisms which are the most important for the historian had already been published in his dissertations. He was the first to recognise that the name of Justin had been corrupted to Justinian at the beginning of c. 19. In the passage on the overflow of the river Skirtos in c. 18 he now sees that Procopius wrote *ἐν τοῖς ὀπισθεν* (manuscripts *ἐμπροσθεν*, which formerly he explained otherwise) *λόγοις γεγράφεται*, where the reference is to the *Libri de aedificiis*, which was a later work. Attention may also be called to p. 16 *ἡμέρας* for *ὥρας*, p. 109 *Λέοντα* for *Λεόντιον*, p. 115 *τετράκις* for *τρίς*, p. 125 *πραίτωρα δῆμων*, p. 189 *ἀδίκων* for *ιδίκων*, p. 167 the insertion of *αἰρετικούς*. His conjecture that in the description of the sign-manual of Justin (*γραμμάτων τεττάρων ἀπερ ἀναγνῶναι τῇ Λατίνων φωνῇ δύναται*) we should read *ἀνέγνω* appears to me highly probable; *ἀνέγνω* would almost inevitably have been changed to *ἀναγνῶναι*. In any case we must translate 'four letters which in Latin mean "to read"'—namely, *ΛΕΓΙ*—as is proved by the passage in the Anonymus Valesii on the parallel case of Theodoric. I do not feel quite satisfied about the form *Ἡρίω* as the name of the suburban palace, p. 99. It is right to reject *Ἡραίω* proposed by Alemannus, but the best manuscript has *ἡρίω*, and the passages in the *Πάτρια* (ed. Preger, 268, 270) point either to *Ἡρίω* or *Ἱερίον*. Müller gives *Ἡρίω* in a fragment of Demosthenes Bithynus, to which Haury refers; but we cannot safely draw conclusions from his text. In the much discussed statement concerning the numbers of the Vandal nation (p. 112), the conjecture (*ὄπλα*) *ἀρχὴν αἰρομένων* for the corrupt *ἀργυριουμένων* is far too doubtful to justify its appearance in the text.

In his Prolegomena Haury quotes passages of Evagrius, John the Lydian, John of Ephesus, and the *Vita Silverii*, for the purpose of establishing the general credibility of the *Anecdota* as a source for the

administration of Justinian and Theodora. The pertinent material has been most fully gathered in the valuable monograph of Panchenko on the Secret History, which is not sufficiently known. I may here point out that the charge preferred against Theodora in c. 16 of having instructed the imperial emissary Peter to procure the murder of Amalasuntha has a possible corroboration in what Diehl calls 'the mysterious correspondence' between the courts of Ravenna and Constantinople in A.D. 535, preserved in the *Variae* of Cassiodorus. In a letter of Theodahad to Theodora, written after the arrival of Peter, we find this sentence:¹

de illa persona, de qua ad nos aliquid verbo titillante pervenit, hoc ordinatum esse cognoscite, quod vestris credidimus animis convenire.

It is difficult to resist the suspicion that *illa persona* is Amalasuntha, and that Procopius was not misled by rumour in his secret history of the tragic death of the Gothic queen. And was this guilty plot the new circumstance (*emersit qualitas rei*) which Gudeliva suggested should endear her to Theodora?² Veiled allusions are insufficient to convict the empress, but they must make us hesitate to reject the story of Procopius as an invention. The responsibility which the historian lays upon Justinian for physical disasters like earthquakes and pestilence seems to us the very exuberance of malignancy; but Haury well observes that here Procopius 'speciem aetatis suae praebet' and is not more unreasonable than the emperor himself, who in one of his laws attributes the occurrence of famines, earthquakes, and plagues to persons who commit certain offences.

Seeing that Haury discusses the value of the work as an authority in his preface, it is difficult to see why he has not made a brief statement of the evidence which determines its date. This would have been welcome to those who are not acquainted with his first Procopian dissertation. He established indubitably the fact that the *Anecdota* belongs to A.D. 550, and was thus written ten years before the *De aedificiis* and three before the eighth book of the *De bellis*. In three passages Procopius states that thirty-two years have elapsed since Justinian's administration of the empire began, and Haury showed that this period is reckoned from the accession of Justin (A.D. 518), not from that of Justinian himself (A.D. 527). To the proofs which he has adduced may be added one pointed out by Panchenko. In June 551 Addaeus was Pretorian prefect (*Nov.* 159); he had not yet risen to that dignity in the *Anecdota* (c. 25). The same writer points out that Malthanes, whose return from Cilicia is mentioned in c. 29, was in Cilicia in the twenty-fourth year of the reign (A.D. 550-1), and hence infers that the last part of the *Anecdota* cannot be earlier than the second half of 550.³ Panchenko refers only to a note of Alemannus, and evidently did not examine the source. The Acts of the Fifth General Council contain a report of the proceedings at the synod of Mopsuestia, which was opened on 17 June, A.D. 550, and at which Marthanius, the count of domestics, was present⁴ as representative of the emperor. A letter written by Justinian to the metropolitan of Mopsuestia, relating to the holding of this synod, and dated 22 May of the same year, contains

¹ x. 20, 4.

² x. 21, 26.

³ *Visantiiski Vremennik*, ii. 56, 57.

⁴ *Mansi*, ix. 275.

the words 'scripsi Marthanio viro magnifico,'⁵ which show that 'Marthanius' was then in Cilicia, and was not sent expressly to be present at the synod. There can be no question that Alemannus was right in identifying this person with Malthanes, and we have a connecting link in the form *Μαρθάνης* ('comes rei privatae' in A.D. 558, *Nov.* 170, ed. Zachariä). The order to investigate the conduct of Malthanes might have been issued soon after the synod, and c. 29 might have been written before the end of the year. But the argument is not conclusive, for the events related by Procopius might have been of earlier date, and Malthanes, restored to the favour of the emperor, might have been created count of domestics and have returned to Cilicia on another mission in A.D. 550. In any case Haury should have referred in his notes both to the evidence for the presence of Malthanes in Cilicia in 550 and to the prefecture of Addaeus.

We might have looked for some consideration of the questions raised by Panchenko—whether the work was left by the author in an unrevised and incomplete state, whether cc. 18–30 are formally (without implying any considerable chronological interval) a 'postscript,' and whether there is a lacuna at the end of c. 17. In the text offered by the MSS. Theodora is the subject throughout c. 17, and in the first sentence of c. 18 we suppose that she is still in question, till we have read a few lines and find that we have now to do with Justinian. Panchenko suggested that there is a lacuna, and conjectured that here might have been an account of the secret history of the conspiracy of Areobindus, which is related in *De bellis*, vii. Haury has silently and perhaps correctly solved the difficulty by introducing the name of Justinian into the last sentence of c. 17; but a few words on the subject might well have found a place in the Prolegomena.

We look forward impatiently to the appearance of the *De aedificiis* and the index, which will conclude this competent scholar's long and fruitful labours on the greatest of the later Greek historians.

J. B. BURY.

Annali dell' Islam. Compilati da LEONE CAETANI, Principe di TEANO.
Vol. II. Tom. i. (Milan: Hoepli. 1907.)

THE second volume of this work, dealing with the events of the year of the Hijrah 7 to 12, has proved too bulky to go between two covers, and Prince Teano now gives us in a first, part (of 720 pages) the annals down to the close of A.H. 11—namely, to the death of the Prophet and the outbreak of the so-called 'apostasy' of the Arab tribes. In no book, hitherto, that one unacquainted with Arabic could consult, has the great mass of tradition on these, the most crucial years of the life of Mahomet, been accessible. But here practically everything that is known, or likely to be known, about the Prophet and his acts, when he was ruling almost as an autocrat in Medina, is set forth in an unabridged form (with notes to elucidate obscure points in the diverse traditions); and from time to time our author sums up and surveys the course of events, and explains his own reading of the history, which in many points is at variance with

⁵ Mansi, ix. 274.

that found in previous text-books. If the reader does not feel inclined to agree he has in every case (and for the first time) the means wherewith to draw his own conclusions, and not from summarised notes but from the full text of the documents. In any forthcoming series of biographies of eminent persons the writer on Mahomet will do well to consult the summary (pp. 372-476) that Prince Teano has given under the heading 'Riepilogo degli ultimi cinque anni di Maometto.'

The result is on the whole in favour of Mahomet, at any rate as regards his good faith, throughout his life and actions. He believed in himself, and his surroundings certainly believed in him, and above all the reader will not fail to be impressed by the wonderful resourcefulness and statesmanship displayed by this enthusiast, who had begun by being a driver of camels. Also the idea that the Prophet, when in Medina, had lapsed to a state of moral decadence is clearly shown to be not consonant with the facts as they now are known. The Prophet, indeed, was carried along by the stream for which he himself had opened a new course, he was being borne he knew not whither, and he struggled ineffectually in many cases to stem the current he had set running. Then it appears to be the fact that Mahomet only desired to be a prophet with honour in his own country. The conversion even of Arabia was an afterthought of the first caliphs, his companions and successors. Mecca and Medina were to receive Islam at his hands; the Arabs of the great peninsula were merely to become tributary and recognise his overlordship. That Islam should set forth to conquer the world (as was done a few years after the Prophet's death) certainly does not appear, to judge from contemporary tradition, ever to have been contemplated by Mahomet as a matter of practical politics. Nay, more: it would seem evident that he was very ignorant of the world beyond his immediate surroundings; he was interested chiefly in parish politics, and of *Weltpolitik* he was entirely innocent. In the second part of this volume Prince Teano will have to deal with the famous *Riddah*, or 'apostasy,' as it is mis-called, which convulsed Arabia when the death of the Prophet became known; and concerning this matter the reader will find that an entirely new view of the case is given by our author. G. LE STRANGE.

Histoire Critique de Godefroid le Barbu, duc de Lotharingie, Marquis de Toscane. Par EUGÈNE DUPRÉEL. (Uccle: Wauters. 1904.)

Le Duc de Lorraine Mathieu 1^{er} (1139-1176). Par EMILE DUVERNOY. (Paris: Picard. 1904.)

M. DUPRÉEL's valuable work is at once a critical attempt to give the dates and circumstances of the life of Godfrey of Lorraine, a study of papal and imperial policy during the minority of Henry IV, and a psychological analysis of Godfrey's character. These subjects are not very distinct; they proceed naturally from the matter upon which M. Dupréel has to rely. The annalistic method, so essential when facts are to be fixed, is hardly suitable for the discussion of character; yet it is only by means of the annalistic method that we can see how meagre the authorities are, and check the conclusions which are reached so easily

and appear so certain until we perceive upon how few facts they are based. Even M. Dupréel has not escaped the temptation to dogmatise, in spite of the rigidity of his method. And, on the other hand, the interest of Godfrey's career has prevented his biographer from giving us the necessary bibliographical criticism. It is not sufficient to dismiss the relative value of Hermann of Reichenau and Lambert in a brief footnote (p. 42). In some ways, again, the most important critical question arising out of Godfrey's history is the unusual prominence of the chronicle of the monastery of St. Hubert during the days of abbot Theoderic. Like Laurent of Liège (p. 68, note) the author had special knowledge of Godfrey's Italian experiences; and M. Dupréel avails himself freely of it. Thus he accepts the chronicler's description of Godfrey, *nominatissimus Romanæ urbis patricius, prefectus Anconitanus*; ¹ but he does so simply on the ground (p. 74) that the latter title is probable, and justifies the former. Now the passage in which these words occur summarises the position of Godfrey in Italy in what reads very like a *résumé* of official documents.

The portrait of Godfrey suggested by the casual, haphazard notes of the chroniclers and letter-writers of the time is sufficiently striking. He stood out among the German princes and barons, unique in temper and vivacity as well as in strength and courage. He repented as a mason; was absolved before emperor and pope with a dog on his shoulders (p. 55, note), separated from his wife by papal command, and scattered his possessions, in a dramatic scene before the monks of St. Hubert. He was a real disciple of Peter Damiani, and one of the fiercest warriors of the age. M. Dupréel brings this out so well, that he provides an answer to the startling theory which he puts forward to account for Godfrey's sudden penance in 1068. According to the ordinary story, preserved chiefly in the chronicle of St. Hubert, Alexander II ordered Godfrey and Beatrice of Tuscany to separate and to confirm the act with suitable dispositions of land to the church. It has been assumed, rather rashly, on the strength of a letter from Peter Damiani to Godfrey, that this sentence was due to the latter's relations with the anti-pope Cadalus. M. Dupréel rejects this cause as bizarre, and puts forward the theory that Godfrey had taken part in the assassination of Boniface of Tuscany, had married his widow, and had been discovered by Hildebrand, who had consented to hush the matter up in 1059, and had sent him to Germany to act on behalf of the reformers at the imperial court (p. 129). Subsequent events, which made the Cluniac party more independent and allowed more severe treatment of Godfrey, brought about the public action of Alexander II and Hildebrand in 1068, although appearances were still preserved. For this suggestion however there is nothing but negative testimony. Even though another letter of Peter Damiani's, which congratulates Godfrey on the intention to live apart from his wife, should be dated 1057-8 (p. 127, note), there is no evidence that such a terrible cause should be assigned. Indeed, M. Dupréel lays far too much stress upon the separation between Beatrice and Godfrey after 1059. The itinerary which he has drawn up (pp. 152-157) for these last years

¹ *Monum. Germ. Hist., Scriptores*, viii. 581.

shows that Godfrey was in Italy nearly every year, except between 1064 and 1066; and this register is very meagre. In the early middle ages husbands and wives would take vows of chastity, and were often compelled to be apart for much longer periods, without such melodramatic causes. The consanguinity of Godfrey and his wife, the restraints which their religious impulses would impose upon their affection for each other (a very real affection, p. 64, note), the political difficulties in which Godfrey found himself involved while age and ill-health threatened him, sufficiently account for such a step by a man with so many sins behind him, and of such an ardent and hasty nature. The real difficulty is in the edict of Pope Alexander; but it is more likely that Godfrey had incurred papal suspicion, and that his interview with Cadalus was but typical of his policy, than that Alexander was using an old order of Nicholas II (p. 127).

The chief value of M. Dupréel's book lies in his treatment of Godfrey's relations with the popes and with the imperial court after his marriage with Beatrice. By means of an ingenious argument, based upon an imperial diploma dated at Trèves in 1056, M. Dupréel shows that Godfrey was probably restored to favour shortly before the death of Henry III, and was from the first an influential person at the court of the young Henry IV. As husband of Beatrice of Tuscany, he was chosen to succeed Henry III in the task of directing Italian politics, and to represent the empire as patrician of Rome (pp. 68-74). After the accession of Godfrey's brother to the papal throne as Stephen IX, the position of the duke (as he was still called) in Italy was much strengthened; and the necessity of a strong defence against the Normans forced the regent, the empress Agnes, to consent to his appointment as duke of Spoleto in succession to the last pope, who had held the central states of Italy as a fief of Henry III. It was rumoured in gossip that Stephen would make his brother emperor; and M. Dupréel remarks that Godfrey changed the centre of his authority from the turbulent Lombard plain to Florence (p. 76). M. Dupréel objects to the view of Steindorff that Godfrey was a partisan of the empire rather than of the pope, and sees in his retirement to Germany after the election of Nicholas II the result of an agreement with Hildebrand to represent the reforming party (p. 91). It is not easy from this point to explain Godfrey's movements, and M. Dupréel's criticisms are not always convincing. It is undoubted that Godfrey and Anno of Cologne were in close agreement throughout, and were upon the whole in favour of the reformers. The letter from Anno to Alexander II, published by Giesebrecht, which excuses the policy of the two men, and justifies their claim to serve both *sacerdotium* and *imperium*, proves this. It is probably true also that Giesebrecht is wrong in opposing Godfrey's Italian policy to the interests of the German court, and that M. Dupréel is right in insisting that Godfrey was a German rather than an Italian prince throughout his life (p. 114 and elsewhere). But it is difficult to go further than this without inconsistency and to claim Godfrey both as a German prince, in close touch with Anno, and as a tool of Hildebrand. Indeed, M. Dupréel does not logically press this point, but is content to maintain that, the ally of Anno rather than of Hildebrand, Godfrey was not committed, in virtue of his position as

defender of the empire, to an anti-papal policy or to the support of Cadalus (p. 102). In fact, it is impossible to oppose papacy and empire during these years, in spite of the party in Germany opposed to Anno, and the papal objection to imperial journeys into Italy. There seems to have been a real attempt, which culminated at the council of Mantua, to unite the two powers. *Sicque regno et sacerdotio unito papa cum honore Romam remeavit*, says Bonitho (quoted on p. 106). Throughout Godfrey acted a *latere regis*, and yet on the whole was able to support his wife's activity on behalf of the reformers. Whatever may have been the workings of Hildebrand's mind, he was not prepared to break with the imperial court. M. Dupréel, we venture to think, would have done better to lay less stress on the inherent opposition of the two powers, and more upon the position of Godfrey as a Lorrainer, with the twin sympathies of such a reformer as Leo IX. Just as Leo had done much to Germanise the papal court, and also to fill it with men from the Rhine valley ;² so Godfrey, wavering and impulsive though he was, was led by temperament no less than by policy to support the actions of Hildebrand. But how far he preferred Hildebrand to Anno or Anno to Hildebrand it is not easy to say. In this connexion, we fail to see why M. Dupréel regards Godfrey's march against the Normans as a triumph for Hildebrand over the compromising policy of Anno and the timidity of Alexander (p. 122). In accepting both the Italian and German chronicles, he seems to carry a just method of criticism too far. Dr. Heinemann³ has pointed out that the divergence between Alexander and Hildebrand which the chronicle of Amatus reveals is in itself suspicious ; and it is surely arbitrary to suppose that Anno could not be in favour of an expedition against the Normans under Godfrey's leadership ; indeed the speedy arrangement which Godfrey made on the Garigliano might show Anno's influence as much as Hildebrand's.

M. Duvernoy's treatise upon Matthew I is really a study in diplomatic. From the political point of view Matthew is uninteresting. He exhibits traits of hastiness and instability, and many other qualities on a small scale which belonged to Godfrey to such an extraordinary degree. The position of the Alsatian house in Lorraine was of course difficult, and Matthew lived at a time when adventure without the resources of an organised state was becoming more and more impossible. Yet we should have expected more from the brother-in-law of Frederick Barbarossa, and a man who could earn the title of 'lupus' from St. Bernard, than the jejune facts which M. Duvernoy has laboriously collected. Yet the book is useful ; the task will never have to be done again ; and even to the general reader it helps to reveal the importance of those long periods of quietness and apparent barrenness which make up so much of the middle ages. M. Duvernoy is archivist of the department of Meurthe-et-Moselle, and has brought to bear upon the period of Matthew a wide knowledge of records. He discusses in detail Matthew's

² See the paper by J. von Pflugk-Harttung, 'Die Papstwahlen und das Kaiserthum,' in the *Zeitschrift für Kirchengeschichte*, xxviii. 30.

³ *Geschichte der Normannen in Unteritalien und Sicilien*, i. 388-390. Dr. Heinemann also identifies *Testardita* through whose agency Godfrey made peace, with William II of Burgundy. This is suggestive.

family, court, officials, and his-relations with the empire, the church, and neighbouring states; and also he subjects his character to close scrutiny. The foundation for the somewhat imaginative works of historians of Lorraine in the seventeenth and eighteenth centuries is exposed, and a 'catalogue des actes' is added. The most interesting parts of the book are those which deal with the ecclesiastical states of Lorraine during the age of St. Bernard. We have an excellent portrait of Henry, bishop of Toul (d. 1165), who was Matthew's uncle, a useful, rather worldly, generous, practical crusader (p. 81). The importance to a bishop of having strong relatives in the world is brought out; when Stephen of Bar became bishop of Metz in 1120, his relatives helped him to recover the domains belonging to the bishopric which the neighbouring barons had usurped (p. 52, note); on the other hand, Henry of Toul suffered because of his connexion with the duke, since he could not rely upon external support against him, and so had recourse to spiritual weapons (p. 59). The inconvenience, on the other hand, of being surrounded by ecclesiastics who were the duke's equals is evident. It was illegal to build strongholds within four leagues of Toul (p. 59); vassals were sometimes forced to choose one lord against another in time of war (p. 51), and at the imperial court as well as at Rome the duke might find a successful opponent in one of his clerical neighbours (cf. pp. 45-6). One biographer of Balderic, archbishop of Trèves, asserts that Matthew arrived at one diet in the archiepiscopal train (p. 87). At the same time imperial control over the abbeys of Lorraine was maintained in spite of the duke (p. 85). On the other hand, the number and wealth of the ecclesiastical states were of advantage to the younger sons of the duke. Thus Matthew's son, Thierry, was archdeacon of Mauvages while still a boy (p. 21, note). Later, as archdeacon of Toul, he insisted on the revival of the important position of *primicier*, or head of the chapter, in his favour (p. 64). In 1178 he became bishop of Metz. Again, the same son succeeded Henry of Toul in the quasi-episcopal position of grand-provost of Saint-Dié, a great collegiate church with which the dukes of Lorraine had intimate relations (pp. 65, 69). M. Duvernoy also brings together important data upon the position of *advocatus ecclesiae* (e.g. pp. 56, 58, 68, 110), upon which Matthew had occasion to legislate in at least one instance. Among details we may notice M. Duvernoy's remarks on the spread of the Hebrew name Judith in the twelfth century (p. 11, note), the use of double names (p. 12), the evidence that children were not always mentioned in order of age in charters (p. 17, note), the unusual announcement in the body of Matthew's charters of the marks of validation (p. 128), and the traces of special forms for charters kept by a monastery (p. 130, note).

In both the works under review too little attention is paid to constitutional history, especially to the relations which existed between the duke and the ordinary baron. M. Dupréel shows incidentally in his discussion of the mark of Antwerp and the county of Drenthe, how the duchy of Lower Lorraine fell to pieces, but further consideration might have been given to what he terms *fiefs relevant de ce duché* (p. 80). M. Duvernoy, also, while discussing the strategic value of Nancy as a ducal residence (pp. 106-7) might well have distinguished more clearly

between the domain and 'independent fiefs' (p. 116). A comparison of Godfrey's position and that of Matthew reveals some changes which deserve more attention than can be given. The official nature of Godfrey's title is clear from the treatment he received at the hands of Henry III, and from the fact that his prestige in Lorraine was due far more to his ancestral lands than to his position as duke; Matthew's successor, Simon II, declared that he reigned by the will of his subjects and by hereditary right (Duvernoy, p. 152). Again, Godfrey's relations with his subjects were more personal; he is *magister militie Lotharingie*⁴ (Dupréel regards this phrase too literally, and does not connect it with the ducal power, p. 110); he binds his people by an oath (p. 24, note). Matthew is *dux Lotharingie* at the end of his reign (Duvernoy, p. 128). On the other hand, there is little apparent change in the official machinery between the days when Godfrey sat in judgment on the advocate of St. Hubert,⁵ and Matthew sealed his charters surrounded by all kinds of witnesses, from bishops to *villici* (p. 183). The term *barones* is indefinite (p. 181), the *seneschal* is not hereditary (p. 101) and is defined as *fidelis auricularius secretorum* (p. 99). There is little organisation. Yet Lorraine is changing as a whole; a Romance-speaking people, the Lorrainers, according to Odo of Deuil, hated the Germans, and accompanied Louis VII on the second crusade (pp. 8, 41). They had a commercial and industrial life of their own, using their own money almost entirely (pp. 148-9), and yet entering into close connexion with Champagne (p. 91). And Matthew himself, though consistently faithful to Frederick and the empire (cf. pp. 94-6), had more French than German relatives (p. 8). Henry III's policy of putting an Alsatian duke in Upper Lorraine and allowing the lower duchy to lapse had made a more distinct, although more peaceful barrier state than ever.

F. M. POWICKE.

His Grace the Steward and Trial of Peers. By L. W. VERNON HARCOURT. (London: Longmans. 1907.)

A SOMEWHAT communicative title-page informs us that this work is 'a novel inquiry into a special branch of constitutional government, founded entirely upon original sources of information and extensively upon hitherto unprinted materials.' The claims here made prove to be fully justified: the subject is practically novel; its treatment is bold and fresh, and original evidence is advanced at every step. The author's reading also has been singularly wide and thorough. We have here, in short, a notable contribution to our institutional history, not merely for the results attained, but also for its rigid investigation, reminding us how often close inquiry may modify accepted views. One rises however from its perusal with the feeling that, however impartially the appendices may set the evidence before us, the author has throughout a case to prove, is a counsel speaking to his brief. And that case is prejudiced rather than assisted by the use of forensic methods. We

⁴ *Monum. Germ. Hist., Scriptores*, ix. 448.

⁵ This, it should be noted, was in Lower Lorraine.

are tempted to cull a posy from the author's flowers of speech : of more than one modern historian we read that his 'statement is quite untrue ;' of one recent writer that his view is 'absurd,' and of another that it is 'absurd on the face of it.' Again, 'the *Political History of England* revives the absurd suggestion . . . an error which must be terribly disconcerting to any intelligent student.' Mr. Pike, it is suggested, is 'a blind leader of the blind ;' Birchington has been 'grossly misrepresented by a host of modern writers,' and the *Dictionary of National Biography* contains an 'atrocious blunder.' Even time-honoured Lancaster cannot escape the lash ; he acted 'with characteristic effrontery' if he advanced a claim at variance with the author's case.

We must not however allow the author's strong language to blind us to his frequent success in making good his points. Starting from the proposition that the office of steward (*dapifer*) was of much less importance at the Norman court on the eve of the Conquest than has been supposed, he contends that the 'justiciar' was a new officer introduced to meet the new situation consequent on the Norman kings having two countries to rule, and that his powers had not been comprised in those of the *dapifer*, as Stubbs believed when he wrote that 'the Norman seneschalship was the origin of the English justiciarship.' He further argues with much ingenuity that the great William Fitz Osbern was *comes palatii*, and his father Osbern the *dapifer*, neither of them holding both offices.¹ In denying that William was *dapifer* the author betrays, I think, some uneasiness, as when he hints that Orderic may have asserted the fact in order to bolster up the Beaumont claim. I do not share his view as to *comes palatii*, a phrase applied to William and to Bishop Odo, which seems to me to denote their exceptional position in Herefordshire and in Kent respectively. The development of the steward's office may be illustrated by two parallel developments—that of the French *dapiferatus* and that of the other English offices of state. The former figures largely in the author's pages ; the latter receives perhaps insufficient attention. Throughout the Norman period, we learn, the office remained of small consequence, in which case one would like to know why Humphrey de Bohun paid 400 marcs in 1180 *ut sit dapifer regis*. Under Stephen, the author holds, the stewardship first began to be coveted with a view to developing its importance on French lines, and a great or high stewardship became distinguishable from others, a distinction, it is only fair to state, which Stubbs maintained. What the many lesser *dapiferi* were supposed to do we are not told. They have always seemed to me to be really crown ministers, with the name *dapiferi* given them for convenience. The author traces the concentration of the office of high steward in the hands of the earls of Leicester, but contends that it remained a merely honorific and ceremonial post.

With the entrance of the Montforts on the scene as the senior co-heirs of the earls the interest increases. The author, who carefully investigates the evolution of the *senescallus Normanniae*, and holds that

¹ Stubbs, it will be remembered, held that 'William Fitz Osbern was, as his father had been, *dapifer* and *comes palatii*.'

in England the term *senescallus* began to replace *dapifer* under Richard I, points out that Simon de Montfort developed his style in 1255 into *senescallus Angliae*, and contends that this points to his desire to aggrandise the office on French lines, with which he was personally familiar. If so, the battle of Evesham cut short the development. Mr. Vernon Harcourt does not allow us to forget that one of his new points is his demonstration that Simon did not, as has hitherto been supposed, hold the office of justiciar in addition to that of steward. Admirable as is his collection and investigation of evidence—as, for instance, in dealing with the Beaumonts' extinction of the Bigods' claim—it is difficult to understand his vehemence on the subject of Amauri de Montfort's quitclaim of his rights in favour of his younger brother Simon. The alienability of a great office was, I may point out, keenly discussed and finally rejected in the case of the great chamberlainship, of which the De Veres wished to divert the descent in favour of their heirs male. The author rightly, no doubt, holds that the stewardship was 'wholly inalienable;' but, while denouncing Amauri's action in 1232 as an 'impudent' and 'absurd pretence of assigning that office,' he accepts the quitclaim of 1239 as strictly regular. As he places at our disposal both documents we can compare their purport.

dedimus et concessimus et hac
presenti carta nostra confirmavimus
Simoni . . . fratri nostro totam ter-
ram . . . Simonis patris nostri in
Anglia . . . cum Senescalcia Anglie
totius etc.

recognovi concessi et quietum
clamavi . . . dilecto fratri meo Si-
moni . . . totam partem honoris Lei-
cestrie . . . sicut comes Simon pater
noster . . . faciendo inde . . . debi-
tum servitium ad illam partem per-
tinens tam in senescalcia etc.

The second grant, it will be observed, is, like the first, to Simon: it is not a resignation to the king *in favorem*, in accordance with the Scottish practice, by which an honour was surrendered to the king, to be re-granted with a fresh limitation. Moreover, although the author asserts that the first grant was 'never acted upon,' he himself shows us on the opposite page Simon serving 'as steward without let or hindrance' at Eleanor's coronation, with nothing but this grant to give him the right, though the earl of Norfolk was a rival claimant. He is entered on that occasion in the Red Book as the magnate *cui de iure competit illud officium*, and this was more than three years before the author considers him to have validly obtained the office.

It will have been observed that in these grants the stewardship is looked upon as passing with the honour of Leicester, and that in the second its duties are deemed appendant to the possession of that honour. This raises a question which has always troubled antiquaries. The pretension does not emerge again till Edward II, on his accession, granted the stewardship to Thomas of Lancaster as *ad predictum comitatum Leycestrie, ut dicitur, pertinentem*; but what the author terms 'the Lancastrian tract on the stewardship' begins by asserting that *senescalcia Anglie pertinet ad comitatum Leycestrie et pertinuit ab antiquo*. Most ingeniously the author urges that the puzzling view that it belonged to the honour of Hinkley originated in yet another tract concocted for John of

Gaunt when his wife brought him Hinkley, but not the honour of Leicester. He himself however, while rejecting the view that the stewardship was an appanage of the earldom, appears to hold that the steward was a 'grand serjeant,' discharging his functions as tenant of the honour of Leicester. Further study of the other great offices would have shown him that this 'tenure by serjeanty' conception was a common and baseless intrusion. I have not here the space to prove the point, but it is necessary to draw attention to his confident assertion as to the stewardship charter of the empress Maud (1144).

Humphrey de Bohun was granted his dapifership in England and Normandy to hold to himself and his heirs as a serjeanty appertaining to certain lands There seems not the smallest reason to doubt that the intention was to exact the active duties attaching to the post of dapifer from Humphrey de Bohun and his heirs as the service to be rendered for the possession of particular properties.

I do not hesitate to say that there seems not the smallest reason to suppose anything of the kind. The charter, which he prints in full, does not in any way assert it; the pipe roll of 1180 shows that the lands and the office were independent; and the lands can be shown to have been held by knight service.

The second part of this book is devoted to the subject of the trial of peers and of the steward's right to preside over their trial by their peers. The whole question is one of undoubted institutional importance, and the author discusses from his own point of view the famous clause in Magna Carta in the light of illustrative evidence. But his great point, the one on which he would specially insist, is thus set forth in his preface:—

The privilege of trial by peers of the realm affords a remarkable study in sociology; it is full of surprises; and the critical point in its evolution contains a mystery. . . . It is my contention that a break occurred in the uniform development of the system in question, and that the modern practice is largely founded upon a gross fraud—*une impudente supercherie*—committed apparently by or on behalf of Henry VII.

The question turns on the fate of John Holand, earl of Huntingdon, who died some time in January 1399–1400. Did this man meet his fate at Pleshy, in Essex, without any process of law, finding a lingering death at the hands of a squire with an unskilful sword; or did he, on being arraigned before the steward of England in Westminster Hall, present the peers of the realm and all the justices, duly confess his treason and receive sentence of death according to law? If the earl died at Pleshy uncondemned, as I hold to be the fact, then the conclusions above indicated are surely proved.

Well, it is only fair to point out that Stubbs and the *Dictionary of National Biography*, both of them objects of the author's criticism, have anticipated his own conclusions as to the earl's death. Stubbs held that the earl was 'beheaded at Pleshy,' that Henry was not responsible, and that he proclaimed shortly after 'that accused persons were not again to be beheaded without trial;' and Dr. Hodgkin accepted, like the author, the chroniclers' version of the earl's end. But Mr. Vernon Harcourt, eager to expose 'quite the most interesting fraud in the whole legal history of England,' tackles the report of the earl's trial before the steward in

the year-books, and pronounces it 'an absolute forgery.' I find that Mr. Pike, though (doubtless as himself an editor of year-books) unwilling to admit that the report could be 'a pure invention,' warns his readers of the 'difficulties and contradictions' in the way of its acceptance. The author believes that it was forged to provide a precedent for the trial of Edward, earl of Warwick, in 1499. Even however if this is so, it seems too much to speak of it as the 'institution' of the court, as giving it 'an origin which is neither ancient nor obscure, nor creditable.' For the author has to admit that there was 'a fairly good,' a 'genuine precedent' in the 1415 trial; and, moreover, that under Edward IV Judge Littleton looked on the trial of peers in parliament before 'the seneschal of England' as a settled practice. Nay, he even observes in another place that 'we may regard the Southampton trial (1415) as the true source of the court of the lord high steward.'

In all this we seem to see that attitude of the advocate, as I have described it, who, while admitting the evidence, presents it disproportionately in order to make his points. The thoroughness however of the author is admirable, and his slips few. The office claimed by the earl of Oxford at Queen Philippa's coronation was not 'the' chamberlainship, i.e. that 'of England,' but the queen's chamberlainship, which came from the Sandfords, as the author will find on referring to Queen Eleanor's coronation. 'St. Jean Beveron, in Brittany,' should be 'St. James-sur-Beuvron, in Normandy.' Arthur's claim at Richard's death is too lightly dismissed as 'purely mythical.' This is not the view of Pollock and Maitland, nor was it that taken at the time, as we learn from the *Histoire de Guillaume le Maréchal*. To translate *senescallus Angliae* as 'lord high steward' in 1461 seems premature. One is staggered to find 'the proletariat' applied to all who are not peers; and surely Osbern was the prototype, not 'the protagonist' of the lord high steward, whose office, by the way, is, for a lawyer, oddly described as 'called out of abeyance.' To say that 'except to the lawyers the nature of the new process was apparently not appreciated' is to extend to grammar that originality which is so refreshing a feature of this remarkable book. Its merits are capped by an index which really calls for gratitude.

J. H. ROUND.

The Records of the City of Norwich. Vol. I. Compiled and edited by the Rev. WILLIAM HUDSON, M.A., F.S.A. (Norwich: Jarrold. 1906.)

NORWICH is the latest, though not, it may be hoped, the last of our old towns to interest itself through its official representatives in the publication and elucidation of the more important parts of its municipal archives. If the second and concluding volume does not fall below the standard of the present one, the corporation and citizens will have to be congratulated on the possession of a documented history of their city which will take rank with the comparatively few really adequate works in this field. In his selection of typical materials, his careful indexes and plans, and above all in his elaborate introduction Mr. Hudson, who was already favourably known by his volume on the *Leet Jurisdiction of Norwich* in the Selden Society publications, shows himself an editor of a competence rare

enough, unfortunately, in English municipal historiography. The present volume deals only with the growth of the municipal constitution, the economic history of the city being reserved for the second volume, which is to be edited by Mr. J. C. Tingey, the honorary archivist. As the financial side of the town administration is relegated to his sphere, the division might be unhappy in view of the late Professor Maitland's warning that the close study of the business side of municipal life is essential to a proper understanding of the process by which the 'town' slowly struggles into life. It may be that the Norwich materials are not sufficiently copious to throw light on this process, but we note the point pending the appearance of the promised volume.

A comparison of the municipal origins of Norwich with those, say, of Leicester illustrates at first sight rather the variety than the similarities of English town growth. Apart from such obvious differences as the absence of a merchant gild in the Norfolk borough we may take a single instance. Although the four quarters of Leicester were treated as townships for the purposes of the 'hue and cry' there is no reason to believe that they represented primitive 'tons;' on the other hand three of the four Norwich leets (called wards after 1404) are traceable to distinct settlements, while the fourth (Mancroft) grew out of the new French burgh which is noticed in the Domesday account of the town.

Mr. Hudson lays much stress on the orderly and generally independent course of development which characterised the municipal history of Norwich. 'For this reason,' he says, 'and because on the whole the existing evidences seem sufficient to tell their own story, very little reference is made in this volume to parallel or variant conditions known to have existed in other towns.' Occasionally we have thought that he carries this reticence too far, and that in cases where there is admittedly a doubt as to what was going on, some light might have been gained from an observation of similar conditions in other towns. It is not so clear as it might be, for instance, why so marked a local character is ascribed to the change of title from 'reeve' to 'bailiff' in the early part of the thirteenth century, when the same thing was taking place in other boroughs. This introspective method, too, seems to hamper Mr. Hudson unnecessarily in his otherwise admirable discussion of the tangled problem of the evolution of the select body of twenty-four who in the fifteenth century took the name of aldermen. The extant city records are far from continuous even for the fourteenth century, and when a body of twenty-four is more or less casually mentioned, here with one function, there with another, we are left in doubt whether the references are all to the same body or to two or even more. Illustrations of the practice of other towns under similar conditions may help towards a decision in such a case. The fact that the first mention of a body of twenty-four at Norwich occurs in the custumal drawn up at the beginning of the fourteenth century cannot be regarded as of any significance in view of the scantiness of records of the civic constitution down to that date. It was evidently an official body of no recent introduction and 'entrusted with authority of a high order,' the chamberlain rendering his accounts before it. A student of comparative municipal history would feel tempted to equate it with the twenty-four (or twelve) who under different names—

capital portmen, jurats, benchers—are found as judicial assessors and executive committee in so many thirteenth-century boroughs and developed into the superior element of the later common councils. Mr. Hudson however does not seem to admit the validity of this parallel. He rejects the suggestion that as a body they took any part in the deliberations of the assembly on the ground that another clause of the custumal makes provision for the compulsory attendance of what appears to be a different and larger *quorum* in the assemblies. It is not until much later in the century that he finds a standing committee of twenty-four in the assembly who were under obligation to attend. If this view be correct, perhaps we ought to look to some difference between the *congregatio*, or assembly, of Norwich and the *portmoots* and *boroughmoots* of the other towns referred to for an explanation of this peculiarity. It may be noted however that at Leicester, where the twenty-four *jurats* were an essential feature of portmoot and gild meeting, the number of citizens who were called upon to attend them regularly was sometimes larger.

The mention of the custumal leads us to congratulate the editor on the recent rediscovery of the 'Book of Customs,' lost since the middle of the eighteenth century, containing its original text with other matter, from which its date can be fixed between 1806 and 1811. Good use has been made of the new material it offers in the introduction, but the custumal, unluckily, had already been printed from a fifteenth-century transcript. Perhaps Mr. Hudson will print a collation with the original if there are variations of any importance. Among the many points of interest raised in this well-edited volume, with which we cannot here deal, we should like just to refer to the side-light thrown upon the disputed *communitas bachelerie Anglie* by the composition of the Norwich gild called the *bacheleria*, or 'bachery' (p. lxxiv). There is nothing of note to add to the editor's *corrigenda* except that, after (on p. v) describing St. Michael de Motstowe as the chief church of the old English burgh, and carefully distinguishing it from St. Michael in Tombland, he afterwards (p. xii) speaks of the removal of the latter by Bishop Herbert de Losinga as depriving the English citizens of their principal church.

JAMES TAIT.

S. Francisci Assisiensis Vita et Miracula additis Opusculis Liturgicis.
Auctore FR. THOMA DE CELANO. Hanc editionem novam ad fidem
MSS. recensuit P. EDUARDUS ALENCONIENSIS Ord. Fr. Min. Cap.
(Romae: Desclée, Lefebvre et Soc. 1906.)

FATHER EDOUARD D'ALENÇON'S edition of Celano has for long been eagerly looked for, and it will for many years be the standard edition. The volume contains all the works of Celano dealing directly with St. Francis—namely, the first Life written by order of Gregory IX (1229); the second Life (1246–7); the *Tractatus de Miraculis* (1258); besides the *Legenda ad usum Chori*, and two *Sequentiae*. The Life of St. Clare is of course not included.

FATHER d'Alençon's work is, it need hardly be said, much superior to that of any of his predecessors in the same field, but it is to be regretted

that with his great knowledge of Franciscan history he should have interpreted his editorial duties in a somewhat narrow spirit. No attempt is made to identify place-names; no attempt is made to trace to their source the quotations and literary allusions of the author. In the case of a learned writer like Celano this last is a serious omission. In estimating his historical value it is important to know how much his style was influenced by his patristic knowledge.

Of the first Life, Father d'Alençon mentions nine manuscripts as extant, and another—the Fallerone MS. used by Rinaldi—has lately been re-discovered at Acqua la Castagna.¹ The editor has based his text on the Barcelona MS., whether on any grounds except the age of the manuscript is not clear, for he does not seem to have tried to determine the relation between the various manuscripts. Possibly a careful collation might throw some light on the remarkable fact that only one of the manuscripts now in existence (namely, the recently discovered Fallerone MS.) is known to have belonged to a Franciscan house; three belonged to Benedictine, three to Cistercian monasteries, while the history of the other three is unknown. The disappearance of the Franciscan MSS. is probably due to the decree of 1266, which ordered the destruction of all the legends earlier than that of Bonaventura, and which seems to have been carried out with a thoroughness rare in medieval history. Unfortunately the various readings given in the notes are hardly a safe guide to the investigator. Several of the manuscripts Father d'Alençon has not seen himself, and he has in some cases been indifferently served by his assistants. The variants in the Harleian MS. (L.) are, as he himself admits, very irregularly noted. Thus in chap. i. the following occur:—

- | | |
|-------------|---|
| P. 5, l. 8 | L. inserts 'explicit prologus' after Amen. |
| „ „ 12 | for <i>Vana</i> L. reads <i>Viva</i> . |
| „ „ 21 | „ <i>evenerit</i> „ „ <i>advenerit</i> . |
| „ „ 25 | „ <i>subiacet</i> „ „ <i>subiaceret</i> . |
| P. 6, l. 12 | „ <i>tradunt</i> „ „ <i>tradent</i> . |
| „ „ 25 | „ <i>super</i> „ „ <i>supra</i> . |
| P. 7, l. 2 | „ <i>nitebantur</i> „ „ <i>videbantur</i> . |
| „ „ 8 | „ <i>inanibus</i> „ „ <i>in vanis</i> . |
| „ „ 4 | „ <i>praedives</i> „ „ <i>dives</i> . |
| „ „ 6 | „ <i>cautus</i> „ „ <i>non cautus</i> . |
| „ „ 18 | „ <i>caelis</i> „ „ <i>caelo</i> . |
| „ „ 2 | „ <i>in curios</i> L. does not read 'et curios' (as noted). |

This is a large crop to reap off one chapter. It is true that most of them are immaterial, but one is of first-rate importance. 'Non avarus sed prodigus, non accumulatur pecuniae sed substantiae dissipator, non cautus negotiator sed vanissimus dispensator.' Has not the Harleian MS.—which is not later than the middle of the thirteenth century—alone preserved the correct reading?

The text of the second Life is based on the Assisi MS., and the numerous various readings in the Marseilles or Boncompagni MS. are carefully noted. The latter, which Dr. Rosedale printed as a separate work, is really a second edition, revised—whether by the author himself

¹ *Miscell. Franciscana*, x. 28-9.

or by another hand Father d'Alençon does not decide—after the *Tractatus de Miraculis* had been written. The editor, while admitting that the second Life is to some extent the work of the companions of the saint, wisely warns us against rejecting as of later date all the chapters of the *Speculum Perfectionis* which are not found in II Celano. In his table of chapters showing the relations between II Celano and the *Speculum Perf.* (ed. Sabatier), a few additions may be made: thus II Cel. i. 15 and 14 correspond to *Spec.* 27; II Cel. ii. 26 corresponds to *Spec.* 5 and 9; II Cel. ii. 160 has very little relation to *Spec.* 109.

A point of style may be noticed. In the first Life the *cursus* of the Roman Curia is used with a regularity worthy of a papal bull. In the second Life it is much less frequent. In the *Tractatus de Miraculis* it again appears regularly. In the last work, Celano, speaking of the Stigmata, says, 'Vidimus ista qui ista dicimus.' Father d'Alençon argues that this form does not imply that the writer himself saw the Stigmata, because the first person plural is often used in the second Life when the companions of the saint and not Celano are referred to. But the *Tractatus* was composed by Celano himself, the second Life by him in conjunction with the companions. In the *Tractatus* when speaking of himself he uses the singular and plural indiscriminately, as on p. 492: 'rogo supplex ego'; 'non possumus quotidie nova eudere'; 'Minime ad hæc scribenda nos vitio vanitatis ingessimus,' &c. In his *Prolegomena* Father d'Alençon has collected from various sources all that is known of the life and cult of Thomas of Celano; and the volume is well and accurately printed and supplied with a good index.

A. G. LITTLE.

Lodewijk van Velthem's Voortzetting van den Spiegel Historiae (1248–1816). Opnieuw uitgegeven door HERMAN VANDER LINDEN en WILLEM DE VREESE. Eerste Deel. Académie Royale de Belgique. Commission Royale d'Histoire. (Brussel: Hayez. 1906.)

JACOB VAN MAERLANT'S *Spiegel Historiae* is a universal chronicle in rhymed Low Dutch verse, the best edition of which was issued by Messrs. Verwijs and Vries for the Leyden Academy of Netherlandish Literature some fifty years ago. But the latest continuation of Maerlant's work, composed by the Brabant priest Lodewijk van Velthem, has until now only been accessible in its entirety in Isaac Le Long's bad and scarce early eighteenth-century edition. It is therefore an excellent scheme of the Royal Academy of Belgium to commission the editors of the present work to set forth a complete modern edition of Velthem's interesting and curious production. The present volume is the first of the three instalments into which the new edition will be divided, and the prolegomena to it are, we are told, postponed until the third part. Pending the completion of the book, it will be enough to say that the present volume contains the first two of the six books of Velthem's Chronicle, and carries the story from the death of Frederick II down to a little past the death of Rudolf of Hapsburg. It is curious, rambling, unsystematic stuff. In the beginning there is a long disquisition on the Holy Land and elaborate details about its ecclesiastical geography. There is much legendary matter about

Albertus Magnus, and long accounts of the proceedings of famous friars. Among other things English affairs are treated at some length. Much is told us about the barons' wars, but it cannot be said that Velthem at this stage of his chronicle adds anything valuable to our knowledge of our own history. He is very prejudiced and inaccurate. For instance, he makes Edward, Henry III's son, escape from Montfort's custody in 1265 by swimming over the Ouse and riding straight to London. He believes that Edward was king when he won the battle of Evesham, and he tells in a confused way the incident of the waggon at Lewes in relation to the later fight. The second book begins with the election of Richard of Cornwall as king of the Romans, but soon falls away into the Arthurian legend and the round table. There is a good deal about Edward's conquest of Wales, but Ireland is said to have been the object of the king's later expeditions.

The editors add to a careful text many various readings, and short philological and historical notes, including references to modern literature and to other contemporary sources. The notes on English history are, perhaps necessarily, not very deep, and some proper names are misspelt. It is a pity that the editors did not give us more help in finding our way about in the text. Marginal summaries and a few words of description, with dates, when possible, at the head of each page would have materially lightened the labour of consulting so discursive a work, especially as its language is not particularly easy to the great majority of historical scholars. But what they have undertaken the editors have carried through competently, and their work is sound and scholarly.

T. F. Tout.

Scalacronica. By Sir THOMAS GRAY. The reigns of Edward I-III. Translated by Sir HERBERT MAXWELL. (Glasgow: MacLehose, 1907.)

IN a sumptuous volume printed by the Glasgow University Press, Sir Herbert Maxwell has set forth a clear and readable English translation of the most important part of the well-known *Scalacronica* of the Northumberland knight, Sir Thomas Gray. This is a good deed in itself, for all that facilitates access to the sources of medieval history is much to be commended. The extreme rarity of the only available edition of *Scalacronica*, which Joseph Stevenson prepared for the Maitland Club, has perforce compelled most historical workers to consult the book in libraries. They will now be able to use this version in their own studies, and the fact that Miss Mary Bateson began and Mr. A. Rogers concluded a collation of Stevenson's text with the manuscript in the Corpus Christi College Library at Cambridge enables Sir Herbert to print in some cases a version more satisfying than that to be read in the original French. Unluckily however the editor has not been at sufficient pains to make his translation really scholarly in every detail. In particular he has left place names and personal names in exactly the form that he found them, though it was as much his duty to translate these as any other part of his text. 'Trodsham' for Frodsham meets the eye on the second page, and forms like 'Lucas de Towny,' 'Rafe de Engham,' 'Vicomte de

Benoge,' 'Rouerge,' and 'Pontives' are of constant occurrence. Certain names that Sir Herbert confesses that he cannot identify are put in italics; but anyone at all familiar with the fourteenth-century geography of France would have easily run to earth the majority of these. Thus 'Peter of Taranto' should be Peter of Tarantaise; 'Terrages' is Thiérache, 'Loignes' the Laonnais, and 'Golion' is Guillon. 'Hedyn' and 'Haan' speak for themselves as Hesdin and Ham. And every ill-spelt form is mercilessly indexed, if at all, under its corrupt shape. Nor are the editor's own attempts at identification always very happy. Mons-en-Pévèle, the scene of the battle in 1304, is not the 'capital of the province of Hainault,' but is in Flanders, not very far from Lille. Equally unconvincing are other remarks of Sir Herbert, as for example his naive statement that Thomas of Lancaster was 'not the king's (Edward I's) nephew, but a distant cousin.' Does he not remember that Edmund of Lancaster and Edward I were brothers? Almost as simple is the note on p. 125 on the meaning of 'men-at-arms,' a phrase, we are gravely told, which 'means more than mere rank-and-file.' It is small consolation to feast one's eyes on the beautifully emblazoned coats-of-arms of the chief persons mentioned in the chronicle (including the device of the translator) when such slips are allowed to pass. The strength of the editor is in Scottish history, and Gray's Chronicle, unluckily for him, takes us much farther afield. It is interesting, for example, to note how well informed in some cases Gray is of minor events in the French wars. But Sir Herbert makes little attempt to estimate the value of his author.

T. F. Tout.

Registrum Ade de Orleton, Episcopi Herefordensis, 1317-1327. Edited for the Cantilupe Society by the Rev. A. T. BANNISTER. Vol. I. (Hereford: Wilson & Phillips. 1907.)

THE present volume consists of the text of Orleton's register to 1320, with an introduction, mainly biographical, of some fifty pages. The latter is marked by clearness of language and careful work at details, while the writer's living interest in his subject is manifest throughout. Unfortunately Mr. Bannister's enthusiasm for Orleton has resulted in partisanship, and has therefore somewhat marred the scholarship of his edition. Historians as a rule, he admits, have united in a 'chorus of parrot-like condemnation' of the bishop. The traditional verdict has been that he surpassed his contemporaries, at a time marked by 'a miserable level of political selfishness,' merely in greater ability to secure his ends. The moments at which he appeared on the stage of history were among the most tragic of a tragic reign. No figure, save those of Isabella and Mortimer themselves, was so conspicuous in the savage triumph of Edward II's enemies. At the piteous interview in 1327 between the king, half fainting, desperate, penitent, and the representatives of his subjects, it was Orleton who relentlessly voiced their wishes and bade Edward renounce his throne. It was Orleton, tradition said, who encouraged the subsequent murder at Berkeley. The inefficiency of Edward was undoubted, and the revolution perhaps inevitable; but contemporaries and later writers alike have united in condemnation of

the violence and greed of the instruments of the change. Mr. Bannister however takes up cudgels in his hero's defence, and would have us consider that historians have been led astray by 'the malignant slanders elaborately fabricated against Orleton by his rancorous and virulent traducer.' Orleton, he grants, was not a saint, but he was an able man, a generous friend, and 'in point of character as well as of ability high above most of his fellows, whether barons or bishops.' On one occasion, indeed, he confesses that 'we might at any rate claim that Orleton was no worse than the rest,' an opinion in which most people would concur. The wider assertion however is more questionable.

The writer's arguments may be summarised as threefold—first, that 'Thomas de la Moor's' chronicle is prejudiced, and that no other contemporary writer 'paints Orleton's character black'; secondly, that Orleton was undoubtedly able, that even the king was obliged to make use of him for diplomatic work, and that he was loyal at some cost to his patron Mortimer; thirdly, that the letters now published show the bishop active in episcopal work, and able to find time amid all his preoccupations for intellectual pursuits. With regard to the first argument, it would have been wiser to accept Sir E. Maunde Thompson's view that the *Vita et Mors Edwardi II* is the first part of Geoffrey le Baker's chronicle. Mr. Bannister refers casually to this fact in a footnote, but throughout speaks of the chronicle as written by Sir Thomas. This is important as a point of scholarship, though for purposes of argument it matters little whether Baker or his patron wrote the work. Granting that it is biassed, that it aims at exciting pity for the king, that its veracity can in some points be impugned, it is still impossible to reject its evidence altogether. The period was not one at which contemporary history was likely to be either impartial or exact. It was Baker's business to attack Orleton, just as it was the so-called 'monk of Malmesbury's' to moralise on the frailty of the king's ministers. As to accuracy, holes could be picked in the coat of every chronicler. With allowance made for violence, and with the expulsion of the picturesque adjectives, Baker's account, with the bare facts of the story, would still be sufficient to place Orleton in no pleasant light. Sir Thomas de la Moor was present at the interview in 1327, and it may well be that the 'pathetic touches artfully introduced' by Baker are the actual facts as told him by his patron. Mr. Bannister's second contention may be granted, but does not alter the case, for Orleton's ability has always been admitted. The third argument is perhaps the strongest. Orleton's register shows him busy in many ways, while one entry, acknowledging the loan of the *Summa* of Thomas Aquinas and other books, may indicate that he found time for reading. Yet all the evidence put together is a slender bundle. We are left very much in the same position as before, believing Orleton to be neither the villain of Baker nor the hero of the *Flores*, but a capable, violent, and active man, very typical of the reign in which he lived.

Mr. Bannister has taken pains to put together a detailed account of the facts of Orleton's life, open only to one or two trifling criticisms. It would have been more convenient had the modern forms of place and personal names been given, at any rate in the introduction. 'Galfrid,' for instance, might appear as Geoffrey, and the prebend of Wandestre as

Wanstrow. In connexion with this last another case of the title 'Adam de Hereford' might be added to the one quoted by Mr. Bannister. In *Feudal Aids*, iv. 321, Wanstrow is described as held by 'Adam de Hereford, canon of Wells.' 'Aishoby,' in the diocese of Carlisle, is, we suppose, Asby in Westmorland. The 'three little vills, Muleton, Chastroke, and Aston,' in the bishop's manor of Lydbury North, about which Orleton quarrelled with Audley, are the modern Mellington, Castle Wright, and Aston. They had been bones of contention more than once. Mr. Bannister mentions the case in 1268, when the constable of Montgomery claimed them. He might have added an earlier instance in 1228, when the bailiffs of Montgomery seized Castle Wright and Aston, but were forced to return them to the bishop in 1224.¹ It is, of course, difficult in the limits of a specialised introduction to treat adequately the general history which forms its background. Still it would have been worth while to make an exact statement concerning the seizure of Newport, which was the first act in the quarrel between the Gloucester co-heirs and the Despensers.² Mr. Bannister says that Despenser 'apparently got possession of' the castle. It is certain that he took 'the fealty of certain knights, men, and tenants of the castle aforesaid under certain conditions for his own use,' and that the king in consequence resumed the lands into his own hands.³ Again, the French war should not be described as 'entirely owing to the selfish recklessness of the favourites.' The same causes were still active which had operated in Edward I's time, and which by and by were to bring on the Hundred Years' War. M. Eugène Déprez⁴ has shown how the enmity between England and France may be traced back to its seed in the Treaty of Paris in 1259. Great primary causes, of which the double position of the English king as duke of Aquitaine was the chief, lay behind the secondary causes, such as Edward II's refusal to do homage or Edward III's claim to the French throne. Even a cursory survey of the Gascon rolls for the period shows abundant material for war. The 'affair of Saint-Sardos' in 1322 was far more the immediate cause than Edward's delay in doing homage, and should have found a place in Mr. Bannister's account.

Referring to Lancaster's quasi-parliament at Sherburn in 1321, Mr. Bannister says, 'I have not been able to discover whether Orleton was present. Probably not.' It is practically certain that he was not, for, in the first place, bishops of the northern province alone were invited; and, in the second, his name does not appear in the list preserved by Tyrrell.⁵

The text of the register has been carefully transcribed with few slips. On p. 42 a comma should have separated *amictum* and *manipulum*. *Deffendatis* (p. 124) may be original. The scanty editorial notes are not always helpful. In the passage just referred to, for example, a host of ecclesiastical and other words demand explanation and receive little. *Duos pannos aureos de una secta* undoubtedly means gold cloths 'of one pattern,' or 'to match.' It is explained as 'a suit of livery.' If a note

¹ Eyton, *Antiquities of Shropshire*, xi. 155.

² Cf. *Flores Historiarum* (Rolls Series), iii. 342.

³ 4 March 1318. *Cal. of Close Rolls*, *Edw. II*, ii. 531.

⁴ *Les Préliminaires de la Guerre de Cent Ans*, pp. 1-26.

⁵ *History of England*, 1704, iii. 280.

is thought necessary on *casula* it might equally have been given for the names of other vestments mentioned. *Carda* is explained as 'a kind of cloth,' but no note is given on *sericum*, *sindon*, or *samitum*. On p. 44, again, a note explaining the difference between *quaternos seu rotulos* would have been useful. Identifications of place-names might have been made more systematically, but are perhaps being reserved for the index in the next volume.

The subject-matter of the letters is varied, and not always interesting. One series however, dealing with the monastery of Wigmore, gives a clear picture of the abuses which were creeping into monastic life. Orleton visited the abbey soon after Christmas 1818, turned out the existing abbot, appointed a new one, and drew up stringent regulations for the future. The canons were now to attend the services regularly, to say their masses daily, to observe silence, to take their meals together in the refectory, and be content with a sufficiency, instead of demanding a fixed portion as their due. Their friends and relatives were not to make the abbey a home, and the canons were to give up keeping horses and dogs and private property. Orleton sent off two of the worst offenders to other monasteries, '*ad penitenciam salutarem inibi peragendam*.' Neither the abbey of St. Augustine's, Bristol, nor the abbey of Keynsham however welcomed his black sheep, and Orleton had to appeal to their respective bishops, and even to the archbishop, to compel the admission.

HILDA JOHNSTONE.

Registres du Conseil de Genève. Vol. II. (1461-1477.) (Geneva: Kündig. 1906.)

Histoire de la Représentation Diplomatique de la France auprès des Cantons Suisses, de leurs Alliés et des leurs Confédérés. Par EDOUARD ROTT. Vol. III. (1610-1626); Part I. (Berne: Benteli. 1906.)

THE books of which we have just transcribed the titles are both fresh instalments of important publications of documents mention of which has before been made in these pages (for the *Registres* see vol. xix. p. 899; and for Rott, vols. xvi. p. 141, and xviii. pp. 196, 416). Neither boasts of more than a very short Preface, full Introductions being doubtless reserved for future volumes, but—a most praiseworthy feature—each has a very detailed Index, which facilitates the use of the volume in question as if it were an independent work.

The Genevese Registers are now issued under the competent editorship of MM. Dufour-Vernes (the archivist of the city) and Victor van Berchem. The new volume prints three volumes of the manuscript Registers, which include, however, only sixteen years, while the first volume had given us four Registers, extending from 1409 to 1461. Here again the acts of a single community are of more than local importance. The little city in its prolonged struggle with its deadly enemy, the duke of Savoy, was nearly ruined by the strong support that he received from the all-powerful Louis XI of France. But this dark cloud had its silver lining, for Geneva was thus drawn within the sphere of the infant Swiss Confederation, and so profited indirectly by the victories of the Swiss over Charles, duke of Burgundy. The international position of

Geneva is thus becoming more and more clear, and, of course, this is still some half century before it became the 'Protestant Rome.' Hence the documents printed in this volume of 550 pages throw much light on the transition period of the history of the city, nearly freed from the dominion of Savoy, though as yet neither Swiss nor Protestant.

M. Rott gives to his book the sub-title of 'L'Affaire de la Valteline, Première Partie,' which admirably describes its scope. The struggle for the Valtellina between the French and the Spaniards had far more than local importance, for as long as the French could by occupying it cut off the Austrians in Tyrol from the Spaniards in the Milanese, the united forces of the Habsburgs could not be brought to bear on Gustavus Adolphus and his allies. As the Valtellina from 1512 to 1797 belonged to the Grisons, then a confederation allied to the Swiss Confederation though not forming an integral part of it, the local political and religious rivalries of the leaders of the opposed parties in Raetia became inextricably mixed up with the larger question, especially as the alternate victories of the local leaders meant alternations in the fortunes of the two great Powers which sought their aid. The present volume ends with the defeat of the French in 1626 and the triumph of the Spanish party in the treaty of Monzon. M. Rott's stately volume (over 1160 pages in all) will help future students to follow in the most minute detail the course of the intricate negotiations that took place during these sixteen momentous years. Probably even the principal parties themselves were not aware of the entire meshwork of intrigues and cunning diplomacy which now, after nearly three hundred years, is revealed to the curious.

W. A. B. COOLIDGE.

Luard Memorial Series. Vols. II. and III.: Grace Book B. Part I. containing the Proctors' Accounts and other Records of the University of Cambridge for the years 1488-1511; Part II. containing the Accounts of the Proctors, 1511-1544. Edited for the Cambridge Antiquarian Society with Introduction by MARY BATESON, Fellow of Newnham College, Cambridge. (Cambridge: University Press. 1908, 1905.)

THE lamented death of the learned editor of these most useful volumes adds to my regret that the task of reviewing them should have been so long postponed. The title-pages sufficiently explain their nature. Miss Bateson has done all that a wide knowledge of the general history of the time could do towards extracting historical information from slight and enigmatic references in proctors' accounts and similar documents. It is very rarely that one finds anything to dissent from in her explanations of academical technicalities. The most serious slip I have noticed occurs in vol. ii. p. xix, where we are told that 'the University Chaplain paid 2*l.* for the chair of canon law, "because this year there is no doctor holding that chair."' This is not very intelligible, and from the text it would appear (p. 251) that the university *paid* the chaplain this sum for occupying the chair. Elsewhere we are told that a 'fee of 1*s.* is required from each inceptor in arts, and 4*d.* from every monk, "excepting mendicants," probably because these last—the friars, that is to say—did not take the arts course.' But the monks did not take the arts

course either. I imagine the 4*d.* was paid by the monks as a kind of compensation for not taking the arts course, while the mendicants were excused on the ground of poverty: all university taxation in the middle ages was 'graduated' taxation. When a certain canon is allowed to wear a silk lining to his hood, the editor adds 'as a master of arts.' But if he were M.A., he would require no leave: his ecclesiastical rank was considered to entitle him to the adornment in spite of his not being a master. These are very small matters, but they are just worth noticing for the benefit of anyone who is interested in such things. The editing is all that can be desired. I have looked through the whole of these volumes with pleasure and interest; but the value of the real contribution which they make to history lies in the names and dates (supplying material for biography), and in the light they throw on numerous small points of local history and university custom which do not readily lend themselves to extract or epitome. The crowning of the poet Skelton with laurel and the conferment of a D.D. degree upon Erasmus are among the interesting incidents recorded in the first of these volumes. In the second there is a list of *rejecti baccalarii in artibus*—a rare feature of early university records. As a general rule we hear little of anyone being 'ploughed' or 'plucked,' and when we do get such notices, rejection is generally said to be due to moral delinquencies or theological prejudice rather than to intellectual deficiencies. I suspect that this was so at Cambridge in 1527-1529. Have we here a trace of the growth of 'Lutheranism'—the old 'Lollardy' with a new name?

H. RASHDALL.

Die Reise des Kardinals Luigi d' Aragona durch Deutschland, die Niederlande, Frankreich und Oberitalien, 1517-1518. Beschrieben von ANTONIO DE BEATIS. (*Erläuterungen und Ergänzungen zu Janssens Geschichte des deutschen Volkes.* Herausgegeben von LUDWIG PASTOR, IV. Band, 4. Heft.) (Freiburg im Breisgau: Herder. 1905.)

DR. PASTOR claims, with reason, peculiar importance for the journal of Antonio de Beatis. This Apulian clerk travelled as chaplain to King Ferrante's grandson, the Cardinal of Aragon, leaving Ferrara on 8 May 1517 and returning thither on 16 March 1518. The party crossed the Brenner, and journeyed through Tyrol, Franconia, and Suabia to the Rhine, and thence to Cologne, which is given as the dividing line between Upper and Lower Germany. The Netherlands were then visited, but the intended voyage to England was dissuaded by the Governor of Calais on the ground of the mortality in London from the sweating sickness. In France the travellers saw a good deal of the northern provinces, visited Paris, and explored the cities of the Loire. Through Bourges they passed to Lyons, which had something, Antonio knew not what, of Italy. Thence making a détour through Savoy and Dauphiné to see Chambéry, the Grande Chartreuse, and Grenoble, they again reached the Rhone, and descended by Avignon and Arles to Marseilles. The last section of the journey opens at Nice with the heading *Bella Italia*, though the author confesses that the city's position is ambiguous, the traditional derivation being *Niza nila*, neither on this side nor on that, while its heraldic eagle

has one leg uplifted in an attitude of doubt. Thence the cavalcade passed with some difficulty along the Riviera, of which the description is very graphic, to Savona and Genoa. Milan, to the author's disgust, was in French occupation, but this did not prevent a friendly and lively visit, though the party felt more at home in the atmosphere of Mantua, the last important stage of the eventful journey.

Antonio had eyes in his head and a telling touch in his native Apulian dialect. Each town is excellently characterised with regard to its chief sights, its architecture, its paving, from the carefully drained roadways of Malines to the torturing cobbles of Avignon. To see beautiful women the traveller is recommended to visit Constance and Lyons, and above all to avoid Picardy. Of quite peculiar value is the description of the reliquaries in the chief shrines, though by the time he reached Arles, the duplication of relics had made him sorely sceptical, not that carelessness and confusion on this subject prejudiced the Holy Trinity, the Ten Commandments, or the Twelve Articles. On leaving each country Antonio gives a summary of its peculiarities. Thus at Cologne, he writes on Upper Germany; on entering Picardy, on the Netherlands; after crossing the Var, on France. These summaries contain a mine of miscellaneous information on means of transport, household furniture and stoves, a recipe for the prevention of bugs and fleas, feminine costumes, the etiquette of kissing, the respective areas of beer, cider, perry, and gooseberry wine, crops and domestic animals, fish and fowl, cheese and cabbages. We learn that the Netherland ladies spoil their teeth by excess of beer and butter, and indeed the prevalence of leprosy is ascribed not, as by the earlier traveller, the Spaniard Tafur, to bad fish, but to milk and butter. The employment of women in shops and churches, both in Germany and France, surprised the diarist; he was even shaved by a woman and quite comfortably. German honesty compared very favourably with that of France, where the lower classes are given the vilest character. Antonio was, indeed, shocked by the contrast between rich and poor in France, and is sarcastic on the rollicking and irresponsible life which is the corollary of being born a gentleman. Dr. Pastor notices that Antonio's account of the general civilisation and especially the religious devotion, of Germany, both Upper and Lower, confirms Janssen's view of the period immediately preceding the Reformation. It may be remembered however that he travelled under exceptional circumstances and in unexceptionable company. The cardinal was doubtless not taken to see the mixed bathing which scandalised other foreign visitors, nor is there any mention of the national curse of drunkenness. Yet there can be no question as to the superiority of public worship in Germany and the Netherlands to the practice of Italy, while civilisation in general seems to be on a higher plane than in France, with the sole exception of cookery.

The cardinal necessarily moved in the highest circles, and Antonio consequently saw every distinguished person within measurable distance of his itinerary. At Innsbruck he describes the two girls whose fortunes were to be so closely united, Mary of Austria and Anne of Hungary. Jakob Fugger himself acted as cicerone to his magnificent palace and chapel at Augsburg; Sickingen, by way of contrast, was met at Mainz.

An interview with the emperor Maximilian had been intended, but this was frustrated by the news of Charles's immediate departure from Middelburg. Here the cardinal arrived just in time to see him off for Spain. Antonio adds to the well-known portraits a description of the long, pale, thin face, with the mouth open, if he did not take care to keep it shut. There was however much grace and dignity of expression; the figure was fine, and the leg incomparable. The cardinal as an expert reported favourably on his riding; his piety and sobriety are also the objects of favourable comment. With Charles was his aunt Margaret, not ugly, but of great and truly imperial presence, lightened by a pretty smile; his beautiful sister Eleanor, her would-be suitor, the gallant Count Palatine Frederick, and Pescara, future victor of Pavia. A month later Antonio saw Francis I, his queen, and his mother; the former small, ugly, and deformed; the latter lively, rosy, and 'excellent stuff for another ten years.' The king's infidelities were already notorious, but his behaviour towards his wife considerate. He is described as largely made, active, gay, and most agreeable, but critics found his nose over large, and his legs too thin for so massive a body. Most interesting, perhaps, of all Antonio's interviews was that with Leonardo da Vinci near Amboise, who showed the party three of his pictures. But, alas, his hand was paralysed, and he could no longer paint, though he could still design and was an admirable teacher. When a little later Antonio visited Milan, he found the 'Last Supper' already spoiled by damp and by some neglect, only some twenty-two years after it was painted. Leonardo's pictures were not the only *chefs-d'œuvre* that Antonio saw just made or in the making. In the workshops of Innsbruck he had admired several of the bronze statues for Maximilian's monument, and at Brussels the tapestries for the Sistine Chapel.

No short sketch can do justice to the interest of this find, on which Dr. Pastor must be heartily congratulated. The introduction is an addition to its value. This contains a short biography of the cardinal of Aragon, an appreciation of the importance of Antonio's journal, and a comparison with that of other travellers, especially Tafur, Rozmital, and Aeneas Sylvius. Then follows a very full analysis, almost amounting to a translation, of the text. Unfortunately Dr. Pastor thought himself limited by the object of the series to which this volume belongs, and consequently the commentary, when Antonio enters France, becomes very slight. Fuller notes here would have been very welcome: for instance, on the bibliography of Château Gaillon, of which Antonio's account is perhaps the earliest and the fullest, until the description of the duc de Luynes when this extravagant monument of Cardinal Amboise's splendour was near its miserable end. E. ARMSTRONG.

Letters and Papers, Foreign and Domestic, of the reign of Henry VIII preserved in the Record Office, the British Museum, and elsewhere in England. Arranged and catalogued by JAMES GAIRDNER, C.B., LL.D., and R. H. BRODIE. Vol. XIX. Pts. I. and II. (H.M. Stationery Office. 1908, 1905.)

THE nineteenth volume of this series covers the whole of the year 1544, and is thus on very much the same scale as its immediate predecessors.

The bulk of the papers deal with the joint invasion of France by Henry VIII and Charles V, the capture of Boulogne, the Peace of Cr py and the subsequent recriminations between the quondam allies. There is not much material here to modify the general outline of the political history of the year ; for the cream of the English State Papers were printed *in extenso* by the old Record Commission seventy years ago, and the recent *Calendar of Spanish State Papers* has already supplemented them from the archives of Vienna, Brussels, and Simancas. The papers published for the first time in this volume deal for the most part with commissariat arrangements with the Regent of the Netherlands and similar administrative details. Next to the French war, the attacks upon Scotland occupy most space, but here the ground has been covered even more completely by the *Hamilton Papers* published by the Scottish government. The value of this Calendar depends upon three things : first, it brings all sources, published and unpublished, together in one collection ; secondly, it provides more accurate versions of previously published documents ; and thirdly it supplies a mass of unpublished details relating to financial history, to biography, and to local history. The grants especially should be invaluable to the authors of the Victoria County History, and provide excellent material for tracing the rise of the landed gentry who made so much of English history in the succeeding centuries.

The corrective value of these volumes has reference mainly to the *Spanish Calendar*, and the corrections of detail number several score. A good deal more than detail is involved, even if under detail we include such emendation as dating a document 'April' instead of 'August' (vol. i. p. 865). There are various instances in which the *Spanish Calendar* omits without indication or reason the greater and more important part of a document. Thus, in pt. ii. no. 105, the earlier version stops short one third of the way through the abridgement as printed by Dr. Gairdner ; and on pp. 392-4 of the same part he prints two pages of abstract omitted from the *Spanish Calendar*. It is a pity his commission is limited to documents already transcribed and in England ; for a fresh search at Simancas and elsewhere would certainly produce a mass of documents hitherto neglected. The additions to, and corrections of, biography are too numerous to be catalogued ; but it may be mentioned that the Bishop of Bangor's imprisonment in the Marshalsea (pt. i. no. 1085 [140]) is not noted in the *Dictionary of National Biography*. There is a correction of Ruding on the debasement of the coinage (pt. i. pp. li-liv), and an interesting letter from Dr. Coxe on Prince Edward's education (ii. 726) seems to have escaped even the indefatigable John Gough Nichols. Paget's remarks (ii. 689) on the advantage of a benevolence, viz. that 'it did not grieve the common people,' is worth recalling as a reason for that form of taxation ; and his statement that a subsidy would produce 100,000*l.* shows that its value was greater at that time than has often been imagined. A benevolence he estimates at between 50,000*l.* and 60,000*l.* There are some useful accounts of the Court of Augmentations (pt. ii. no. 328) ; they would be more useful if the items given could be added up to agree with the sum total of payments, which is stated at 225,000*l.*, whereas the items only come to 75,000*l.*

This perhaps justifies Mr. Herbert Fisher's statement (p. 469) that 'an estimate of the revenues of the Court of Augmentations was unobtainable.' Students of folk-lore (and the weather) will be interested in Wotton's account of 'a prognostication which old women in Ducheland keep for gospel, viz. that whensoever it raineth at *Processi et Martiniani*, the which is the third day of July [it would correspond to the 18th in the reformed calendar], then it must needs rain forty days after—a foolish rule, but often proved true.' And grammatical purists will grieve to note (ii. 274) a split infinitive which looks as though it came from the sixteenth century and not from Dr. Gairdner. Perhaps it is one of the rare lapses in this Calendar. We have only observed some half a dozen trifles beyond those noted in the 'Errata.' 'Dermonde' stands for 'Desmonde' (i. no. 542), 'Tynlithquo' for 'Linlithgow' (i. no. 664), 'Vrevins' for 'Vervins' (i. 929), 'Carsington' for 'Garsington' (ii. 77); and 'Sir Thomas Goordenne (?)' is Sir Thomas Cawarden, or Carden, as his name is printed just above (ii. no. 834). This Calendar maintains its reputation as the best edited series of documents published in England or abroad.

A. F. POLLARD.

George Buchanan : a Memorial, 1506–1906. Edited by D. A. MILLAR. (St. Andrews: University Press. London: Nutt. s.a.)

George Buchanan : Glasgow Quatercentenary Studies, 1906. Edited by GEORGE NEILSON. (Glasgow: MacLehose. 1907.)

BOTH St. Andrews and Glasgow held celebrations in 1906 in honour of George Buchanan, and to that we owe these two collections of studies on various aspects of his life and writings. In scholarship the Glasgow volume is on the whole the superior. The preparation of the St. Andrews volume was entrusted to the university students, under the editorship of Mr. D. A. Millar, who thus quaintly excuses differences of method in the articles (p. viii): 'There may at times seem incongruities in this treatment, but it is to be remembered that the truth was only sought. Not after all are there any real collisions of opinion.' Variety of treatment, even difference of opinion, we should expect, but not discrepancies of fact. Evidently all the writers had not at hand the latest results of Buchanan research. This is the less excusable since the editor, by sending the contributors each other's proofs, could have afforded them the opportunity of correcting statements of more than doubtful accuracy—for example, about Buchanan's departure from Scotland in 1589 and his stay in Portugal (pp. 21, 30, 58, 128).

The first article in the St. Andrews volume discusses Buchanan's ancestry. The traditional claim of descent from the royal duke of Albany and from the Lennox earls is, on the evidence of documents, held by Sir Archibald C. Lawrie to be erroneous. The assumed descent has been regarded as partly explaining Buchanan's attitude to Queen Mary after Darnley's murder (pp. 80, 81). Sir Archibald considers it an irresistible inference that Buchanan's greatgrandfather was illegitimate—this however is combated in the Glasgow volume, p. 526—and says that perhaps the quatercentenary celebrations should have been in 1907. The editor declares positively for 1907 (p. vii). In truth the year of

Buchanan's birth is uncertain. The *Vita Sua* gives 1506 *circa Kalendas Februarias*; but whether that is the old computation or the new remains doubtful (compare the Glasgow volume, p. xii, *note*). Two articles in French, abridged from a monograph by Professor de la Ville de Mirmont, throw fresh light on Buchanan's sojourn in Bordeaux. It is now clear that he was still there in 1548; but the conjecture (p. 41) that he did not leave till after Grammont's death in 1544 is disproved by his own declaration to the Portuguese Inquisition, *Sub finem anni 1548 Luteciam profectus sum* (p. 396). In the records of Bordeaux *circa* 1570 mention is made of students from Scotland, and it is inferred that Buchanan's influence induced fathers to send their sons to study under his old friend Elie Vinet. Bordeaux in those days carried on a busy wine trade with Scotland, and the wine ships conveyed letters between Buchanan and Vinet.

Undoubtedly the most important contribution is 'Buchanan in Portugal,' by Senhor Henriques, who some years ago discovered the records of his trial before the Inquisition, and who published, in December 1906, *George Buchanan in the Lisbon Inquisition*. His discoveries are extremely valuable, and enable us to replace several conjectures by facts. Various theories were started to explain why Buchanan was denounced to the Inquisition. One theory attributed his accusation to the vengeance of the Franciscans, another to the desire of the Jesuits to possess the college at Coimbra, a third to the enmity of Cardinal Beaton. Beaton however was murdered three years before the Portuguese commissioners were appointed, in October 1549, to inquire into the life and conduct of the Coimbra professors, both Portuguese and foreign. As we now see the accusation originated simply in the private malice of Diogo de Gouvêa, who was deposed from the headship of the college when Buchanan and the others arrived. The records also show that the professors were notorious, some for lying, some for gross immorality, some for turbulent conduct, as threatening to murder one another, fighting duels, &c. But no charge of vice or turbulence was brought against Buchanan, a fact of importance in regard to the reality, or the artificiality, of his erotic poetry written in Portugal.¹ It is curious that the record of his first examination, 18 August 1550, makes him fifty-five years of age, ten years too old.² When again examined he requested writing materials, and after two days handed in a sworn statement of his movements, opinions, and associates from his leaving Scotland in 1539 to his arrival in Portugal in 1547. This document, written in firm and distinct penmanship, is of much value for a part of his life previously obscure. We have, for example, a fresh account of the circumstances leading up to his departure from Scotland. His quarrel with the Franciscans began when he criticised Scottish judicial procedure in capital cases, particularly for heresy. Their hostility was increased by the satires he wrote against them, partly at the instigation of James V. Having already made an enemy of one of the king's mistresses, Buchanan found her and the ecclesiastical authorities leagued against him. Three courtiers commis-

¹ See his verses 'In Leonoram,' the second piece in his *Iambon Liber*.

² So Henriques here; but in his Lisbon volume he twice (preface, p. iii, and text, p. 1) makes Buchanan state his age as 'about forty-five years.'

sioned to investigate his orthodoxy were the lady's intimate friends. After a protracted examination he was detained, or at least he stayed, all night in the house of the king's secretary. *Postridie rex me iussit in hospitium meum liberum abire cum bona spe fore pollicitus omnium praeteritorum veniam* (p. 885). Thinking that if Buchanan fled to England, and pretended it was to escape religious persecution, he might advantageously play the spy, James sent a courtier to bid him make off *quasi clam elapsus essem*, says Buchanan. He cites as evidence of the king's goodwill that pursuers were not despatched till too late to overtake him. The *Vita Sua* gives a different reason for his departure: *per amicos ex Aula certior factus se peti et Cardinalem Betonium a Rege pecunia vitam eius mercari, elusis custodibus in Angliam contendit*. But that work, we must remember, is not certainly Buchanan's. In his *History* (book xiv.) he says, *sopitis custodibus, per cubiculi fenestram evaserat*, which does not necessarily contradict the statement made to the Inquisition. The king, to conceal his plan, may have placed guards round the *hospitium*, but with orders to shut their eyes to Buchanan's escape. The many ingenious conjectures identifying the characters in his *Baptistes* are now shown to be wrong; for he says (pp. 894-5), *meam sententiam de Anglis explicavi, in ea tragoedia quae est de Io. Baptista, in qua quantum materiae similitudo patiebatur, mortem et accusationem Thomae Mori repraesentavi, et speciem tyrannidis illius temporis ob oculos posui*. Two pages of the statement are given in facsimile, and the whole is printed as an appendix with notes and emendations, which are not always happy. For example, Henriques's reading *destiuissent* has been changed to *destituissent* (p. 884). The facsimile (plate ii.) discloses the true reading *desciuissent*, which gives perfect sense. A note couched in curious English brands a passage as 'quite corrupt' (p. 899). The facsimile (plate iii.) shows no corruption.³ Senhor Henriques, in the course of his researches, was much impressed by Buchanan's coolness and prudence when under trial, and by his steadfastness in refusing to denounce others to the Inquisition.

Other interesting articles are those on Buchanan's connexion with Crossraguel Abbey, on his political treatise *De Iure Regni apud Scotos*, and on his Latin. In the last Professor Lindsay's scholarship and good sense are equally conspicuous. The portraits of Buchanan and the bibliography of his writings are excellently handled by Mr. J. Maitland Anderson. Several of the other papers might well have been omitted to allow Mr. Anderson space to discuss fully the text and the authorship of the *Vita Sua*, a question now rendered more puzzling by the Inquisition discoveries. The translations in the second half of the volume are not of permanent value.

The Glasgow volume, admirably edited by Dr. Neilson, opens with Principal Lindsay's fine oration, delivered at the celebrations, which graphically portrays the historical setting and the salient features of Buchanan's career. Important papers describe his connexion with the

³ The misunderstanding has arisen simply because a footnote by Buchanan describing some satiric pictures has, in printing, been incorporated in the text. The original Latin, left as a footnote and with a colon after the first word, means 'The pictures were (1) A comparison, &c. . . . (2) The Resurrection, &c. . . .'

Glasgow grammar school, translations of his *History*, the music of his *Psalms*, and the marginalia in his books. We cannot admit the claim (p. 391) that the marginalia prove his Greek scholarship equal to his Latin. Mr. McKechnie's learned and lucid paper on the contemporary and the permanent value of the *De Iure* reaches this conclusion:—

Buchanan's original contribution to political science would thus seem to consist in the extreme and unguarded form in which he enunciated the doctrine of tyrannicide, while his independence of mind is shown by his attitude of aloofness from those conceptions of the proper relations of church and state that were current among his Presbyterian contemporaries (p. 276).

From external and internal evidence Mr. J. T. T. Brown infers the Miltonic authorship of the 1642 translation of the *Baptistes*, an inference denied on the same evidence by Mr. Bayne in the St. Andrews volume. Dr. Neilson has written a masterly dissertation to prove that the *Franciscanus*, though first published in 1566, was substantially in its present form as early as 1538, and to show how it illuminates, and is illuminated by, contemporary history. For the *Franciscanus*, as well as the *Palinodes*,

makes reference, explicit enough for unmistakable identification, to matter of current history, and particularly to contemporary or recent tales of scandal or imposture which had made and were to make no small play in the literature recording the Lutheran movement (pp 297-8).

Dr. Neilson buttresses his conclusions by means of Senhor Henriques's discoveries, and indicates how Buchanan's poems may yield much historical and biographical material. Mr. Carruthers contributes an excellent article on the portraits, and Dr. David Murray an invaluable bibliography. In Ruddiman's 1715 edition the ten pages containing the 'Admonitioun' were suppressed after printing. Some copies however have it inserted, but printed in different type and occupying only five pages. Two copies lie before us as we write, one with the 'Admonitioun,' the other without; and both having a separate title-page, dated 1714, for 'Pars Altera' of the poems.

In conclusion we would note an omission occurring in both volumes: there is no special article on Buchanan and education. Now with him 'the love of education was not merely a virtue but a passion, early conceived and never abandoned;' ⁴ and of his three pre-eminent distinctions Principal Lindsay places greatness as a teacher first.⁵ In education Buchanan was many-sided: he was university lecturer, private tutor to prince and peer, principal of a college, reorganiser of university education and of the teaching of Latin. He might also be claimed as a supporter of the higher education of women. In regard to his translation of Linacre's Latin Grammar one point seldom noticed is his inclusion of the method of instruction outlined for Mary Tudor by the Spanish scholar Vives. This method Buchanan highly esteemed: he employed it in teaching, and its influence may be traced in his scheme for St. Andrews. It would have been of interest too if we had been told something of the use of

⁴ *Dict. of Nat. Biog.* s. v.

⁵ Glasgow volume, p. 23.

Buchanan's works in Scottish schools. A hint occurs⁶ in Principal Sir James Donaldson's reminiscences of his school days in Aberdeen, where, as Professor Masson⁷ and others tell us, the tradition survived till some fifty years ago of teaching Latin by means of Buchanan's *Psalms*.

Like many memorial volumes these include hackneyed matter and matter of transient importance; but their new facts and new setting of old facts render them valuable to students of sixteenth-century life and thought.

W. MURISON.

Calendar of Venetian State Papers. 1607-1610; 1610-1618; edited by HORATIO F. BROWN. 1618-1616; edited by A. B. HINDS. (London: H.M. Stationery Office. 1904-1907.)

THE chief value of these volumes consists in the light which they throw upon the foreign policy and foreign trade of England during the period covered. For domestic affairs they are less valuable, though they elucidate some important questions, and sometimes illustrate points in the political history of the time or aspects of its social development. The policy of James I towards the English catholics and his treatment of priests and recusants are copiously dealt with in the Venetian despatches because those topics were of particular interest to a catholic power. The financial measures of James and the different expedients by which Salisbury strove to fill the deficit in the king's revenue are another subject upon which much information is supplied. Giustinian estimated that the new impost on exports and imports levied in 1608 would bring in upwards of 400,000 crowns a year, adding 'so great is the wealth of this nation that they do not seem to be felt.'¹ Foscarini, his successor, was struck by the splendour and extravagance of the English nobility, and, after visiting Belvoir, described the earl of Rutland as living like a sovereign.² A journey to Scotland increased the impression of the wealth of England.

Four things in particular have struck me as being especially worthy of notice. First, that in the 420 miles which I have traversed in my journey from London to the frontiers of this realm, I have not seen a single portion of unfruitful land. Second, that every eight or ten miles I have found a city, or at least a town, comparable to the good ones of Italy. Third, a number of navigable rivers, including the Thames, the Trent, and the Severn, which in their long course to the sea widen to a mile or more. Fourth, I might have said first, a quantity of most beautiful churches, so numerous as to pass belief. The kingdom is most rich in the fertility of the soil, and by its extensive commerce with all parts of the world.

Foscarini counted forty-three large ships in the harbour of Bristol and ninety-eight in that of Newcastle. What also struck him was the loyalty, and peaceableness of the people.

The devotion of the subjects for their king is remarkable, because they recognise the riches and ample liberty which they enjoy from him, paying no imaginable charge, and governing their towns by a chief elected by themselves whom they call mayor, and other assistants called aldermen. I have not come

⁶ St. Andrews volume, pp. 463-4.

¹ *Cal.* 1607-10, pp. 148, 145.

⁷ *Macmillan's Magazine*, ix. 285.

² *Cal.* 1610-18, p. 411.

across a single paid soldier in the whole country, which increases the great estate of the king, as he is not obliged to spend except as he pleases or desires.²

About the king himself, his sayings, his doings, and his character, these volumes contain a mass of detailed information. The general impression produced, at first favourable, becomes less so with advancing years. His popularity was steadily diminishing. The ambassadors, who spoke of him at first as an 'admirably prudent prince' who knew his own interest and the interests of England, ended by wondering at his astonishing credulity, and comparing the strength of his language with the weakness of his acts. The history of the libels against the king and the king's own controversial writings illustrate his inordinate vanity and sensitiveness. Digby's attempt when he was ambassador at Madrid to get Scioppius assassinated for composing a book against James shows how far a servant who wished to please his sovereign was prepared to go.⁴ In foreign policy the marriage negotiations with Tuscany, Savoy, and France are of particular interest, more especially those with Savoy which James sought to reconcile with Mantua and Venice and to protect against Spain. As Mr. Hinds points out, the Venetian despatches during 1618 and 1614

give the impression that the king was far more strongly anti-Spanish than he is generally credited with being, even at a time when he is usually represented as being completely under the influence of Sarmiento and desirous of obtaining a Spanish bride for his son. His steady policy in Europe was to build up a league of all the powers threatened by the overweening greatness of the Austro-Spanish house, and to resist the Spanish idea of a catholic world state. He hoped in this way to divert the Spaniards from schemes of further aggrandisement, and compel them to think only of their own affairs. He told Foscari that Spain was great enough, and he could not and would not permit her to become greater. . . . Under the circumstances, it seems astonishing that James should have effected so little. He had a policy both simple and direct, and his friends and allies were more than ready to help him to carry it out, yet he never did a thing to render them efficient help or to check the advancement of the Spanish-Austrian house. . . . In his place a capable man might have occupied a more commanding position in Europe than had been enjoyed by any British sovereign. James frittered away his opportunities, and, what is more, he did so with his eyes open.⁵

Mr. Hinds holds that Mr. Gardiner antedated the commencement of Sarmiento's great influence over James, and adduces evidence from Venetian despatches to prove that the tales of the systematic corruption which Sarmiento is said to have practised in England were not 'idle stories,' but substantially correct statements.⁶

Another point which these despatches bring out is the growth of that commercial rivalry between the English and the Dutch, which exerted so much influence in later years. The Venetian ambassadors noted its rise. Giustinian described the English government in 1608 as pleased at anything which hindered the conclusion of peace between Holland and Spain, 'because they fear that the growing power and commerce of the Dutch by sea will eventually seriously damage the trade of England.'

² *Cal.* 1618-15, p. 40.

⁵ *Ibid.* pp. xxvii-xxx.

⁴ *Ibid.* pp. 108, 109.

⁶ *Ibid.* p. xix.

King James knew that if the trade to the Indies were thrown open to the Dutch the trade and the revenue of England would diminish, and the ambassador prophesied that the United Provinces would become a 'great and notable power.'⁷ The growth of Dutch influence in Turkey and of Dutch trade in the Levant is shown by the papers in this Calendar. Foscarini reports in April 1612 that

it is feared that as the Dutch have begun to trade in almost all parts of the Mediterranean they will absorb the whole traffic, as they are content with very moderate gains; their ships are light and do not cost half as much as English ships cost; owing to their lightness and the skill of their crews they can sail with half the number of hands, and so though they last a shorter time, they can offer freights at half the price of an English ship.⁸

As marked almost as the growth of Dutch was the decline of Venetian trade. The commerce of Venice was now carried largely in Flemish bottoms, and though there were several English houses at Venice, Zante, and Cephalonia, there was only one Venetian merchant residing at London in 1615 instead of the numbers there used to be.⁹ The information which these Venetian papers supply as to English trade in the Levant and English diplomacy at Constantinople is the more valuable since the documentary evidence already published on those subjects is very meagre. In 1607 Henry Lello, the late English ambassador at Constantinople, passed through Venice on his return to England, and gave the Doge an account of the condition of Turkey.¹⁰ There is much in the following volumes on Lello's successors, Sir Thomas Glover—'that red boar of an English ambassador,' as the Capudan Pasha called him—and Paul Pindar, who was a much milder-mannered diplomatist. Mediterranean trade in general was seriously hampered by the pirates who swarmed in the Mediterranean. Amongst them Englishmen had an evil pre-eminence. It was not easy to distinguish a merchantman from a privateer. The Venetian government told Sir Henry Wotton that ships often sailed from England with but a small cargo of goods; 'this they barter, but they do not neglect any opportunity of plundering, and are at one and the same time merchants and privateers.' 'This nation,' wrote Correr to the Venetian senate, commenting on the rapid voyage made by an English ship,

is wont to navigate with great security, because apart from their seamanship they fit out their vessels excellently, and never let themselves be tempted to take such cargo as would hamper the navigation of the vessel, or hinder them from fighting if occasion offered.

It was therefore easy to convert a trading voyage into a piratical one. Of the most famous of the professional pirates of the period, John Ward, an exact description is given in a paper which the Venetian government sent to its ambassador in England, based on the evidence of an English sailor who knew him. In 1608 Ward was about fifty-five years of age.

Very short, with little hair, and that quite white; bald in front; swarthy face and beard; speaks little, and almost always swearing. Drunk from morn till night. Most prodigal and plucky. Sleeps a great deal, and often on

⁷ *Cal.* 1607-10, pp. 110, 195, 204.

⁸ *Cal.* 1618-15, p. 471.

⁹ *Cal.* 1610-13, p. 383.

¹⁰ *Cal.* 1607-10, p. 34.

board when in port. The habits of a thorough salt. A fool and an idiot out of his trade.¹¹

There are many matters of minor interest upon which these papers throw light. Readers of *Comus* will remember the letter from Sir Henry Wotton to Milton, in which the ex-ambassador advised the poet to be careful what he said whilst he was in Italy if he valued his safety. Three cases of the arrest by the Inquisition of the tutors of young Englishmen travelling in that country are referred to in one of Mr. Brown's prefaces. The case of one of them, Mr. Mole, tutor to Lord Roos, who is said to have been thirty years a prisoner, is the most remarkable.¹² Evelyn's account of the danger he was in at Milan in 1646, and Lord Herbert of Cherbury's narrative of his visit to Rome, are examples of the caution which ordinary English travellers were obliged to observe.

In conclusion, it is only necessary to say that both editors have done their work carefully. Mr. Brown's index to the volume for 1610-18 is open to the criticism that it is much too long and too detailed, being almost a small calendar in itself. Mr. Hinds avoids this mistake, and reduces his to a reasonable compass.

C. H. FIRTH.

The American Colonies in the Seventeenth Century. By HERBERT L. OSGOOD, Ph.D. 8 vols. (New York: Macmillan. 1904-1907.)

THE great reputation which Professor Osgood holds among those interested in American history receives abundant justification from the work on the seventeenth-century colonies, which has now reached completion. No apology is needed for having deferred a review of the first two volumes, because the history requires to be considered as a whole: its aim throughout being to treat the subject from a double aspect. The intention is to point out 'in some connected way how the Atlantic, so to speak, was institutionally bridged.' 'Colonisation,' he writes,

at least in modern times, means the reproduction of dependencies. In the study of the process of colonisation attention must be fixed not only upon the colony or dependency itself, but on the relations which it bears to the parent community or state whence it sprang. The nature of colonies themselves, and of the historical process which gives rise to them, suggest the main divisions of the subject.

It is the concluding volume of the work, which deals with the history of British colonial administration, so far as it affected the American colonies, that the English reader will find the most valuable. Historical continuity is indeed preserved by emphasising the fact that the movements from chartered to royal governments—in other words, from a disconnected and casual colonial policy to one systematically based on imperial lines—went on *pari passu* with the progress of the century; though even here the inconsistencies and hesitations of English methods lead sometimes to inevitable confusion and difficulty. *E.g.* who that has studied colonial history but must admit that Shaftesbury was among the foremost of his time in his views on colonial policy?

¹¹ *Cal.* 1607-10, pp. 58, 140, 269.

¹² *Ibid.* pp. xxxvi, 167.

Inasmuch however as he was the founder of a proprietary colony, he merely figures in these volumes in that capacity. Again, the proprietary colony of Pennsylvania takes its birth when, according to the general theory, the opposite principle had gained the day.

The first two volumes do not of course need justification. Apart from the absence of 'an institutional history of the American colonies,' the careful and fresh use made of the original authorities would in any case make them valuable. At the same time, both in his account of Virginia as a proprietary colony, and of the corporate colonies of New England, Mr. Osgood is of necessity often covering ground which has become fairly familiar. Moreover it must be confessed that its attitude of philosophic detachment, its obvious impatience of popular shibboleths, and its austere style make the history sometimes difficult reading. Nevertheless one soon realises that the volumes well repay close study. Anyone who has followed, for any portion of the work, the track of the original authorities here dealt with, will put no less confidence in the rendering of that portion for which he cannot vouch from personal investigation.

Mr. Osgood combines in a remarkable degree the quality of patient research and a mastery of numerous details with the power of philosophic generalisation. The whole history of English colonial policy in the seventeenth century is epitomised in the following passage :

But the statement that Randolph was Mason's agent contained only a fraction of the truth. It is true that in this, as in all cases of governmental action, private interests bore a share. Mason and Gorges were seeking their rights through an appeal to the crown. But the more important fact in the case was this, that the crown was using the appeal of Mason and Gorges as a means by which to lead or force the colonies of New England into closer relations with itself. Since the time of their settlement they had existed under a system of separatism and of *de facto* self-government, which was inconsistent with the main trend of events subsequent to the Restoration. Had they been colonies of the Greek city type, they could hardly have been more self-centred or independent of the metropolis. But in reality the British colonial system, like that of all other modern nations, was Roman and feudal, that is, provincial in character, and with the Restoration the forces, which were moulding it after this model, came permanently into operation. They came necessarily and at once into conflict with the democratic and separatist tendencies which were inherent in colonial life. The central thread of our colonial history is to be found in that conflict. It did not occasion a resort to arms until the final stage was reached. But it was none the less a struggle, fought out in office, council-house, and legislature; through orders, instructions, correspondence, and legal opinions; through speeches of governors and addresses of legislatures; by appointments, removals, appropriations and the withholding of appropriations; by conferences and dissolutions and new elections—in short, through all the twists and turns of executive and legislative action, prolonged through a century and repeated in nearly twenty distinct jurisdictions.

Again, by no previous writer has the meaning of the mercantile system been more fully brought out. Its

principle, as applied to the colonies, rested upon a tremendous assumption. The policy presupposed the existence of a high degree of both political and social unity as the condition of its success. In this case the two conditions were very imperfectly realised. The policy itself was therefore in the nature of

an experiment, and its history reveals a prolonged and only partially successful struggle against heavy odds.

In this portion of his work Mr. Osgood has had the assistance of Mr. G. L. Beer, whose labours on this subject have already given valuable results. Even before that *bête noire* of the American historian, Edward Randolph, Mr. Osgood remains unmoved. He is not, of course, guilty of the paradox of seeking to whitewash him; but 'the student is compelled to admit in general, though perhaps not in all its details, the truth of *his* indictment' (with regard to the Navigation Acts). 'The course which Massachusetts pursued may have been in the interest of civilisation, but loyal it was not. It pushed the claims of the local jurisdiction to such lengths as to amount to practical nullification.' Of Governor Dongan of New York it is finely said that he 'thought and acted continentally.' While recognising to the full all that can be advanced on behalf of English interference, Mr. Osgood at the same time notes the dangers resulting. The colonial officials, who received their places directly from the king, might prove 'defective in character, inferior in ability, and indifferent to the needs and desires of those whose affairs they were set to administer. If that should prove to be the case, the substitution of royal provinces for chartered colonies would not materially strengthen the bond of union between the colonies and the mother country.'

It may be questioned whether Mr. Osgood does not somewhat overrate the statesmanship of English public men in the seventeenth century. He admits that Charles II himself behaved on more than one occasion with singular folly; but it is doubtful how far many were possessed of the far-reaching views with which they are here credited. Thus, Sir Joseph Williamson's notebooks are mentioned with admiration; but the notes culled from them in the *Colonial Calendar* also serve to illustrate the slovenly and haphazard methods of English official life. When, even in the case of the Acts of Trade, which had behind them the propelling force of the selfish interests of the great mercantile class, so little was accomplished, except on paper, it is not likely that when less pressing matters were in question public men would look far ahead. The condition of the British navy in the West Indies, as reported by the second Lord Willoughby, Stapleton, and others, was not such as to inspire confidence in an administration under which such things were. Mr. Osgood is generally so accurate that a sentence in the preface to the last volume is puzzling. After explaining that the book is not a complete history of colonial administration because the island colonies, with Newfoundland and Nova Scotia, are left out of account, he continues: 'In the opinion of the British merchant and official the island colonies and the northernmost dominions appeared to be the most important.' This was doubtless true of the West Indies; but considering that Nova Scotia, though nominally an English possession from the time of the conquest by Sedgwick till the treaty of Breda, was never a colony in any real sense of the word till long after the peace of Utrecht, and that during most of the years of the century proposals were being constantly made to remove the settlers from Newfoundland in deference to the West Country fishermen, it is impossible to say that these places were considered of more

importance than Virginia or New England. It is a point hardly worth noting, but Lord John Berkeley is not the correct description of John Lord Berkeley.

HUGH E. EGERTON.

The Cambridge Modern History. Planned by the late Lord ACTON, LL.D. Edited by A. W. WARD, Litt.D., G. W. PROTHERO, Litt.D., and STANLEY LEATHES, M.A. Vol. IV. 'The Thirty Years' War.' (Cambridge: University Press. 1906.)

THIS volume, to which the great struggle between the forces of catholicism and protestantism in Germany gives a name, has in reality two principal themes, the German contest, with which the histories of Scandinavia, France, Spain, and Holland quite easily connect themselves, and the battle in England between the parliament and the crown. The two histories have to be carried on side by side and the story of one to be dropped in order to go on with the other, with a certain loss to continuity, though there is a corresponding gain in bringing into prominence the points at which the one influenced the other.

Seventeen writers have collaborated in the volume. The three editors between them have written more than one third of it, which makes for more unity of treatment than usually falls to the lot of history in joint enterprises. Historical students are to be congratulated on having here some hundred and fifty pages on the Thirty Years' War from the pen of the Master of Peterhouse, based as it is also on Lord Acton's valuable collection of pamphlets dealing with that period, an excellent catalogue of which, due to the aid of Miss A. M. Cooke, is included in the hundred and fifty pages and more of bibliography appended to the volume. Compared with Gindely, who has close on nine hundred pages in which to narrate events, Dr. Ward's narrative gains by its conciseness in many cases, while it skilfully explains every link in the often complicated chain of events, military or diplomatic, which determined the course of the war. It is not easy to make the intrigues and counter-intrigues of half a dozen or more electors or landgraves attractive; but the reader is left with a fairly clear idea of the guiding motives which determined their actions, which is the important thing. We may call attention to the clear and precise explanation of the origin of the French claims over Alsace which sprang from the treaty of Westphalia—so often vaguely stated in text-books of history. Mr. Leathes deals adequately in close on seventy pages with Richelieu and Mazarin. A welcome feature of the book is formed by the two well-written chapters on the Vasa in Sweden and Poland (1560-1630) and the Scandinavian North (1559-1660), by Mr. W. F. Reddaway. Mr. Prothero's account of the Constitutional Struggle in England (1625-1640) and the First Two Years of the Long Parliament is less interesting. The chapters on the First Civil War (1642-7) and Presbyterians and Independents (1645-1649) he writes in conjunction with Colonel E. M. Lloyd, and the description of the military operations of the Civil War has thus the advantage of expert assistance. Major Hume resumes his lively narrative of the history of Spain from the previous volume in a chapter on Spain under Philip III and Philip IV, whilst the history of the papacy is con-

tinued by the late Dr. Moritz Brosch. A lucid chapter on Scotland from the accession of Charles I to the Restoration is contributed by the competent pen of Professor Hume Brown. Dr. Tanner is responsible for an important chapter on 'The Navy of the Commonwealth and the First Dutch War.' Mr. Edmundson continues his excellent narrative of Dutch history in a chapter on Frederick Henry, Prince of Orange, the 'golden age' of the United Provinces in many respects. Dr. W. A. Shaw contributes two chapters on the 'Westminster Assembly' and 'The Commonwealth and Protectorate,' dealing with the abortive attempts to make a new constitution for state and church respectively, and consequently somewhat dry in their matter but based on valuable original researches at the Record Office, particularly with regard to Commonwealth finance. Mr. Dunlop continues his impartial and temperate narrative of the history of Ireland in a chapter on Ireland from the Plantation of Ulster to the Cromwellian settlement. Professor Firth gives an account of the crisis which in the end led to Monk's inviting Charles II over in his chapter on the Anarchy and the Restoration, which puts Monk's attitude in a clearer light. Professor Egerton writes a useful chapter on the transference of the colonial power to the United Provinces and England. M. Emile Boutroux writes with customary French lucidity on Descartes and Cartesianism, Mr. Horatio Brown a somewhat disproportionately detailed chapter on the Valtelline, and Mr. Clutton-Brock on the Fantastic School of English Poetry—not a literary movement which had much vital connexion with the history of the time. Doubtless Hobbes, though the *Leviathan* was published in 1651, will find a place in the next volume. Certainly his theories of government are more relevant than the conceits of Donne. This is incontestably one of the most important, best written, and most homogeneous of the volumes of the *Cambridge Modern History* that have appeared so far.

W. E. RHODES.

John Locke; ses théories politiques et leur influence en Angleterre.
Par CHARLES BASTIDE. (Paris: Leroux. 1907.)

THIS volume falls into three parts, which are of about equal length. The first chapters describe the life of Locke; the middle section purports to give an account of his political theories, in connexion with older political theory and with contemporary politics; and the last sections deal with the results of his theories. The whole book is readable and interesting; it gives evidence of careful study, and it contains some pieces of information which are not accessible elsewhere in so convenient a form. Its weakest point seems to be the one which might have been expected to be strongest, the actual account of Locke's political theories. It is not only too short, but there is an absence of that exact and detailed criticism which would have gone to show in what respects the theory is really new. Dr. Bastide tells us that he is treating Locke as a type of his age. Undoubtedly there is much that is typical about Locke, though a man who inspired alternately so much hatred and such blind enthusiasm cannot well be taken as only typical. He has a double measure of the piety which distinguishes most, though not all, of the seventeenth-cen-

tury writers. He regards the form of government with which he is in sympathy as due to natural reason. He irritates us by the complacency with which he cites that natural reason as a justification for what we now know to have been accidental and temporary arrangements. He annoys us still more by his frequent use of the *argumentum ad hominem*, covering the weak points of his argument by the assertion that his opponents are at any rate in no better case. Yet we can hardly consider the greatness of Locke as due to the extent to which he is representative of his time. He had an honesty of purpose which is rare in philosophers, and not least rare in the century when he lived. No desire to round off a system ever prevents him from following out the thought of the moment to its conclusion. The result is inevitable. There have been some critics who have admired the clearness of Locke's writing; but theirs is a most unusual experience. Locke is, for most of us, one of the obscurest and most difficult of authors. His technical terms, frequently borrowed from other writers or from the current literature of his time, are used in shifting senses which almost defy analysis. We may feel sure that Locke deceived himself before he deceived his readers; but his readers have to beware none the less on that account. The difficulties involved in his conception of the state of nature and the state of war, the exact significance of his social contract, the contradictions to which his theories of property, of toleration, or of natural rights generally lead, have often been pointed out. The value of the second *Treatise of Civil Government*, as well as of the *Essay concerning Human Understanding*, consists much more in the many problems which it puts before the next generations of thinkers, than in any positive results at which it arrives.

It would be unfair to give the impression that Dr. Bastide does not criticise Locke. He sometimes points out how, as regards particular parts of his view, Locke was affected by contemporary prejudices; he does not fail to call attention to certain inconsistencies. But surely, in the case of a difficult writer, criticism and exposition should assume the first place. A work on Locke's political theories ought to leave no doubt in our minds as to what the purport of those political theories was. The absence of a sufficient analysis of Locke's leading conceptions causes the book, useful and accurate as it is, to be lacking in logical clearness and in solidity.

P. V. M. BENECKE.

Règne de Charles III d'Espagne, 1759-1788. Par FRANÇOIS ROUSSEAU.
(Paris: Plon. 1907.)

THIS biography of Charles III of Spain comes as summary, complement, and criticism of the two long lives of the Spanish king by Ferrer del Rio and Danvila y Collado, and to a certain extent does for his rule in Spain what Signor Schipa has recently done for his rule in Naples. It is a work of original study and independent judgment. The writer has read and utilised almost all the modern books on the period: I notice hardly any omission except that of the useful *Gobierno de señor rey Don Carlos III dada á luz por Don André Muriel* (1889). He has also worked at the manuscript sources in the Bibliothèque Nationale, the archives at Madrid, the British Museum and the Record Office in London.

If he has discovered little that is new, we may reasonably infer that not much more is to be found; and no one who knows the thoroughness of the work of the late Danvila y Collado will be surprised.

Two points however in M. Rousseau's work need special recognition. The first is his general view. He regards the reign of Charles III almost exclusively from the point of view of French influence. Spain seems to him throughout, with slight exceptions, at least from the death of Queen Amalia, to have been dominated by France. Charles yielded, he thinks, more and more to the political and intellectual forces which emanated from the neighbouring kingdom, and the chief work of his reign, good and bad alike, is due to this fact. I need not stay to criticise this theory. It will be sufficient to say that it hardly allows enough weight to the influence of either Wall or Tanucci. The former M. Rousseau seems somewhat to underrate; to the latter he does allow considerable share in the motive force of the reign, though he restricts his sphere, I am inclined to think, too closely to religion. Whatever may be the final judgment on M. Rousseau's estimate of the French influences, it is well worth attentive consideration.

The second special point of interest in his book is the very full treatment he gives to religious questions. His account of the Jesuit missions in South America, their constitution, their connexion with politics, and their destination is based on a thorough examination of the materials, which cover a very wide field. M. Rousseau has given equal care to the study of the causes of the expulsion of the Jesuits from Spain and of the persistent demand for their final suppression. His account of the negotiations at Rome is lucid as well as thorough. His view of the attitude of Ganganelli before his election, namely, that he did not pledge himself but gave what practically amounted to contradictory assurances, is probably correct. But the statement, though it has much contemporary authority and was accepted by Coxe, that he was elected by the combined influence of France and Spain, cannot, in view of the evidence produced by Danvila y Collado, be accepted. M. Rousseau's careful explanation of the hostile attitude of the religious orders, particularly the Augustinians, and of the Spanish secular clergy, to the Jesuits, is an important piece of work. It should be observed, however, that he writes as a supporter of the society, and that a somewhat unnecessary introduction by the Abbé Alfred Baudrillart vehemently emphasises this view and denounces the 'brutal persécuteur des Jésuites et de Clément XIV,' the Count of Floridablanca.

Capable and clear in his treatment of political questions, M. Rousseau is also quick and epigrammatic in his appreciation of the social reforms of Charles III and of the literary, philosophic, and artistic tendencies of his age. His sketch of the work of Rafael Mengs is hardly adequate, but he is undoubtedly right in showing that the general literary and artistic work of the time in Spain was not original, or, where it was, was conducted on entirely wrong lines. The French influence here was wholly evil. The palaces of Madrid and la Granja were filled with the work of French artists, while the masterpieces of Velasquez and Murillo were left in neglect to dust and damp. There were national artists who towards the end of the reign led a reaction—Ramon de la Cruz and Sarzillo in their

different lines, and Goya, the one great original artist of the Revolutionary epoch; but they came too late and stood almost alone. I may add that the analysis of Charles's character and personal influence seems to me both acute and just.

W. H. HUTTON.

The Irish Parliament, 1775, from an Official and Contemporary Document. Edited by WILLIAM HUNT, M.A., D.Litt., President of the Royal Historical Society. (London: Longmans. 1907.)

THE publication of this record of the arts of parliamentary management, as practised by a member of an administration whose ostensible object was the reform of abuses in the Irish parliamentary system, will be welcomed by students of the political history of Ireland, though it makes no great addition to our knowledge of the methods of Lord Harcourt's Irish government. Sir John Blaquiére's 'List' presents in a convenient form facts which, though in the main to be found elsewhere, are not very accessible. The two volumes of the *Harcourt Papers*, containing the correspondence of Simon, first Earl Harcourt, as lord-lieutenant, are only part of a series of fourteen privately printed volumes; and therefore the fact that, as Dr. Hunt states, 'another and somewhat similar list is printed in the *Harcourt Papers*' is no sufficient objection to the independent publication of the present list. Nevertheless it must be observed that, viewed as a contribution to historical knowledge, the volume adds less than might be expected from a document introduced by Dr. Hunt. A comparison of the list now printed with that given in the *Harcourt Papers* shows, no doubt, that it contains some fresh matter; but that matter is, *pace* Dr. Hunt, neither 'so full nor so interesting' as to make any real difference in the student's or the historian's appreciation of Irish politics under Lord Harcourt's administration and Sir John Blaquiére's management. The difference in date is no more than the difference between December 1772 and July 1775; and the state of the Irish house of commons did not materially differ within that period of just two and a half years. In both lists the minister is dealing with the same parliament and with a house of commons whose *personnel* had only been altered by a few casual vacancies.

More useful than this list is Dr. Hunt's introduction, which analyses clearly and concisely the Irish parliamentary system in the pre-Grattan parliament of the eighteenth century. It is meant, no doubt, for the general reader, to whom it will give a just notion of the methods by which successive viceroys strove to govern Ireland. It may be regretted however that Dr. Hunt has dealt in so summary a fashion with the 'Undertakers.' It is impossible to appreciate the policy which Townshend and Harcourt were instructed to carry out without understanding the operation of the system they sought to supersede. One of the most obscure episodes in Irish political history is the appointment of Lord Bristol by Lord Chatham in 1766, and that viceroy's resignation in 1767, before he had even visited the seat of his government. No explanation has ever been forthcoming of the transactions hinted at by Lord Bristol's mother, Lady Hervey, in a letter written immediately after her son's

resignation. 'I am very sorry he [Lord Bristol] does not go [to Ireland], as I am pretty sure his administration would have been beneficial to that people and highly glorious to himself; as things were circumstanced, and the man who could and would have supported him in the noble plan that was formed was become unable to carry on business, he was, I think, in the right not to attempt it, unconnected as he was and is with any other minister.'¹ Evidently Bristol resigned because Chatham had become *hors de combat* and had retired to Bath. But what was 'the noble plan that was formed'? Certainly it was not the ignoble policy subsequently represented by Townshend and Harcourt, which did no more than substitute bribery by the government according to the methods chronicled in Sir John Blaquiere's list for bribery by the undertakers after the fashion so vigorously denounced by Lord Chesterfield in his letters to Bishop Chenevix. Dr. Hunt infers from the fact that one or two passages in the list are in the first person that the whole is Sir John Blaquiere's composition. The inference hardly seems warranted. No man of the world—and Blaquiere could certainly claim that character—would have written of himself the passages which refer to Blaquiere's own actions. It seems more probable that the list was compiled by a subordinate, and that the chief secretary interpolated observations of his own; but, as the list exists only in an official transcript, this point cannot be authoritatively determined.

C. LITTON FALKNER.

Marie-Caroline, Reine des Deux Siciles (1768-1814). Par ANDRÉ BONNEFONS. (Paris: Perrin. 1905.)

To write of Maria Carolina is perforce to write the history of the kingdom of Naples during the stormy period of the Revolutionary and Napoleonic wars. The reason for this is to be found in the preponderating influence which she exercised in the affairs of her husband's realm, enabling her for nearly half a century to control the destinies of southern Italy and Sicily. It was an age in which women played a leading part in the affairs of many nations, but none possessed greater power than that which fell to the lot of Maria Carolina. Not only was she by her contract of marriage admitted to a share in the government of the kingdom after the birth of her eldest son, but the weak, ignorant, and easy-going Ferdinand was content to leave to her hands the actual direction of the machinery of state. It thus happened that whilst Ferdinand reigned it was Maria Carolina who ruled; and it was her will which shaped the foreign and domestic policy of the Neapolitan government at this very critical and anxious time. Elsewhere in Europe the anti-Jacobin fury emanated either from a ruling clique, as in Austria, or from the mass of the population, as in Great Britain and Spain. It was only in Naples that it became incarnate in an individual; for although it is true that the Neapolitan people were never friendly to the principles of the Revolution it was nevertheless Maria Carolina who was the body and soul of the reactionary movement. This is a matter which seems to

¹ *Letters of Mary Lepel, Lady Hervey*, pp. 326-7, Lady Hervey to Mr. Morris, 6 September 1767.

have surprised many historians ; but it would have been absurd to expect that she should not have hated and abhorred a system which sent her sister to the scaffold after attempting to dishonour her by charging her with every abominable crime. It is however this very identification with the history of the period which has proved a pitfall in the path of Maria Carolina's biographers. Gagnière, for instance, imbued with an excess of republican zeal, can only conceive of her as a monster in human guise, a female tyrant given over to the very worst of vices. Helfert, the apologist of the Habsburg dynasty, on the other hand, in the course of what he himself terms an *Ehrenrettung* regards her as a cruelly slandered and estimable woman, a true patriot and benefactress of her country. Italian writers are mustered according to their party views either among her champions or her detractors, chiefly among the latter. To Englishmen her career is collateral with that of Nelson, and its chief interest to us lies in her close friendship with Emma Hamilton. M. Bonnefons avoids extremes, and whilst he acknowledges that the central fact in her career was her hatred of Revolutionary and Napoleonic France, which clouded her judgment and warped her gentle instincts, he nevertheless does justice to the courage with which, almost unaided, she waged an unequal and exhausting struggle with her enemies.

His attention is chiefly directed to his subject in its relation to contemporary events in France, and when he is on this ground his work is of great value, as he makes good use of new material derived from the Archives des Affaires Etrangères. But when he passes beyond these somewhat narrow limits his work is disappointing in the extreme. His acquaintance with the details of the history of Naples at this period is very slender, and appears to be principally derived from Colletta, whose blunders he transcribes. His views as to the relations between Naples and Great Britain are tinged with prejudice, and the result is most unfortunate. Passing over such errors as 'Lord' instead of 'Sir' John Acton, and the misdescription of Baccher, the Swiss conspirator of 1799, as an Englishman, we come to more serious matters. Thus M. Bonnefons is apparently unaware of the fact that Pettigrew collated at all events the most important of Maria Carolina's letters to Lady Hamilton long before they ever reached Palumbo's hands, and he gives the latter the credit of discovering them. His account of the episode in Nelson's career which culminated in the seizure of the Jacobin rebels at Naples is a mere travesty of the actual facts, which one would hardly expect to find in a book published in 1905. We are told, for instance, that the garrisons of the castles were embarked on the cartels, ready for conveyance to Toulon, when Nelson's squadron arrived in the Bay of Naples on 24 June 1799, whereas they did not in fact embark till two days later. The long exploded legend of Lady Hamilton's pursuit of Nelson in a swift frigate with instructions for the annulment of the capitulation, which was first put forward by Colletta and repeated by Dumas with many embellishments, is resuscitated after the lapse of many years. There are more serious errors than these. M. Bonnefons repeats the calumny that Nelson altered the sentence of the court-martial, condemning Caracciolo to perpetual imprisonment, to a sentence of death by hanging. This is an entire fabrication, which

originated in the malevolence of contemporary Jacobin writers, and which has long ago been consigned to oblivion. Whatever views some may hold as to Nelson's conduct in refusing to commute Caracciolo's death sentence, it is monstrous that he should at the present day be charged with what is nothing more or less than homicide. On this foundation of inaccuracy and perversion of the facts M. Bonnefons proceeds to construct a diatribe against Nelson's conduct, which is all the more to be regretted in that the author is entirely mistaken in the premisses on which he bases it. Otherwise this is a conspicuously impartial narrative of the life of the unhappy and gifted queen of Naples, which contains much of value to students of the period.

H. C. GUTTERIDGE.

Kléber en Vendée (1798-1794). Documents publiés pour la Société d'Histoire Contemporaine. Par H. BAGUENIER DESORMEAUX. (Paris: Picard. 1907.)

KLÉBER'S memoirs of the war in La Vendée have been used by many writers. J. J. Savary, who seems to have had a hand in the compilation of them, borrowed largely from them in his *Guerre des Vendéens*, published in 1824, but laid little stress on verbal accuracy. The original manuscript is in the archives of the French War Office, where it was placed by Napoleon's order in 1809. It is now printed textually for the first time, and the editor has added notes which are of great assistance to the reader, especially those which are taken from Vendean narratives and show the other side of the shield.

At the end of August 1798 Kléber reached the lower Loire with the rest of the Mayence garrison. Having been released on parole not to serve against the allies for twelve months, they were employed against the insurgents. He remained in the west for eight months, but his memoirs cover only the first half of the time. They end abruptly with the victory of Savenay (28 December), which was mainly Kléber's work. The first draft seems to have been prepared at Châteaubriant, where Kléber was sent to hunt Chouans in the spring of 1794; while (against his strong representations) the 'infernal columns' of Turreau were carrying fire and sword through La Vendée. The first book, which was probably written by Savary, gives a very fair account of the beginning of the war, the character of the country and the people. Kléber himself shows less sympathy for the insurgents, though he admired their courage: 'Tiaple! ces'pricands se pattent pien!' he cried in the affair at Torfou, where they proved too much for him. But it was not their courage that prolonged the war so much as the fatuity that gave the command of the republican forces to incapable 'patriots' like Léchelle and Rossignol. The memoirs show us how a good soldier like Kléber was hampered at every turn, sometimes by his chief, sometimes by the 'representatives of the people,' or by local clubs. When the generals hinted at Rossignol's unfitness, Prieur de la Marne informed them that even if he were to lose twenty more battles he would none the less be *l'enfant chéri de la Révolution et le fils aimé du Comité de Salut Public*. If mishaps were caused by the meddling of the representatives, one of the generals was made the scapegoat. Kléber knew that the committee had told the

representatives to keep their eyes on him as a suspected royalist; and this was no doubt one reason why he, a born leader of men, shrank from the chief command. It was at his instance that it was given for a few weeks to Marceau, the Bayard of the Revolution, but little more than a boy.

M. Baguenier Desormeaux has supplemented the memoirs by extracts from Kléber's order-book, and by letters and other documents which throw light on the military operations. They include papers developing Kléber's views on the best means of dealing with the insurrection, and the tactics to be used against the insurgents. These come from the collections of M. de Châteaugiron, who was at one time Marceau's aide-de-camp, and have not been printed before. The whole forms an interesting volume. The copy sent for review is unfortunately deficient of sixteen pages, dealing with the battle of Cholet, a sheet of another work having been substituted by mistake.

E. M. LLOYD.

Un Préfet du Consulat : Jacques-Claude Beugnot.

Par ETIENNE DEJEAN, Directeur des Archives. (Paris : Plon. 1907.)

JACQUES-CLAUDE BEUGNOT was one of the ablest among the many able administrators whom Bonaparte, when first consul, employed to rebuild the prosperity of France. His Memoirs have long been well known to students of the period. But they afford least information concerning the years from 1800 to 1806, when Beugnot was prefect of the Seine Inférieure. This gap M. Dejean has supplied from a study of the voluminous papers lately bequeathed to the French Archives by Beugnot's grandson. In style hardly such as we expect from a French pen, M. Dejean's work is nevertheless instructive. Beugnot was typical of a large class of enlightened Frenchmen at that time. Honest, kindly, and a hard worker, he joined with liberal sympathies a prudent complaisance.

For forms of government let fools contest;
Whate'er is best administered is best.

Especially when one has a good post in the administration. In some respects Beugnot was a more sagacious statesman than his master. He was well versed in economics; he knew the value of peace and freedom to industry and commerce; and he felt the necessity of improving primary education, which was then in a wretched state. When he became prefect of the Seine Inférieure, crimes of violence were common, the roads were out of repair, industry was at a stand, and coined money had almost disappeared. Weariness and despondency were as prevalent there as in other parts of France. Beugnot wielded his powers with so much vigour, and at the same time urbanity, that he gained the full confidence of the public and effected a transformation in the department which appears all the more remarkable when we consider how small were his financial resources. The first consul was nothing if not frugal, and every municipal budget was austere revised at Paris. M. Dejean devotes a chapter to the work of the council of the department, a body nominated to advise the prefect. Its members, who seem to have been eminently qualified by intelligence and public spirit for self-government, as we understand

that term, accepted their subordinate part with a facility and indifference which show how thoroughly ingrained in the French was the habit of submission to the central power, and how naturally the emperor and his prefects resumed the position of the old kings and their intendants. Many economic details of interest are scattered through M. Dejean's book. Under the first consul wages were much higher in the Seine Inférieure than before the Revolution, partly because the drain of men for war was so great; but the price of estates was lower, because so much national land was still in the market. Fortunes were modest: although the department was one of the most opulent in France, the wealthiest manufacturer in 1810 was estimated to be worth 40,000*l.*; the wealthiest merchant at that time to be worth 60,000*l.*

F. C. MONTAGUE. .

Garibaldi's Defence of the Roman Republic.

By GEORGE MACAULAY TREVELYAN. (London: Longmans. 1907.)

THE centenary of Garibaldi's birth, which has been celebrated during the present year, has produced a quantity of fugitive literature, anecdotes, and memorials about that most romantic figure in modern Italian history. But the present volume is of a more permanent order. The author has spared no pains to make it as complete an account as possible of one episode in his hero's career. He has consulted numerous authorities, living men no less than documents; he has traversed on foot the route which Garibaldi took in 1849 from Rome to San Marino; and he has made a careful study of the topography of the French siege. His narrative is supplemented by a number of interesting contemporary sketches, of which the most curious are the cartoons of the comic newspaper of that day, now in the possession of Mr. A. L. Smith, of Balliol College. A vivacious style lends attraction to a subject, which has been often treated, notably in English by Mr. R. M. Johnston¹ six years ago, but which seems to possess perennial interest. Only Mr. Trevelyan does not display much knowledge of Italy as she is to-day; and he therefore assumes, as is often the case with enthusiastic writers on the *Risorgimento*, that the evils which he finds existing in 1849, but which equally exist at this moment, were due to causes which have long since been removed. Any fair and philosophical account of the Italian struggle for independence should not stop at 1870; it should ask whether the subsequent results have been such as the makers of *la terza Italia* expected, whether real unity has been accomplished, and whether the people are in fact better off under modern arrangements than they were under the 'medieval' and 'reactionary' government of Pius IX. These considerations fortunately do not affect the character of Garibaldi. Not in any sense a statesman, he was the noblest figure among the group of men who were associated with the unification of Italy. No one has ever impugned his honour; no one has ever insinuated that he had any motive but patriotism; while in his case there were none of those petty tergiversations, those devious diplomatic intrigues, which can only be excused in some of his contemporaries by the casuistic argument that the end justifies the means. Mr. Trevelyan

¹ See *ante*, vol. xviii. 188.

does justice to his heroic wife, Anita, who is now receiving the recognition of a national monument, and his description of her death is one of the best chapters in the book. His narrative has already found approval in Italy, where it has attracted considerable attention; and, while his political judgments require to be read with caution, his descriptions are at once picturesque and accurate.

W. MILLER.

Contemporary France. By GABRIEL HANOTAUX. Translated from the French. Vol. III. 1874-1877. (London: Constable. 1907.)

M. HANOTAUX's third volume is in no way inferior in interest to the first and second. It deals with the events of the three years between the fall of the first Broglie cabinet in the spring of 1874 and the resignation of M. Jules Simon on 16 May 1877. It tells us how it came about that the royalist assembly founded the republic. The hero of this part of M. Hanotau's work is Gambetta, the one man in France who combined the qualities of a great statesman with those of a popular leader. We are made to feel his prompt recognition of what was both essential and possible, his singular capacity for expressing the thoughts of the majority with fervent eloquence and for enforcing the dictates of common sense with an ardour usually reserved for the dreams of enthusiasm. We are shown with what admirable skill he succeeded in persuading the timid middle classes that a republic did not necessarily mean anarchy, nor a monarchy order. M. Hanotau gives us also a full and most interesting account of the crisis of 1875, when, as he believes, and he gives good evidence for his belief, the aggression meditated by Bismarck was only averted by the energetic intervention of Russia and England, although he seems disposed to minimise as far as possible the claims of the latter power to French gratitude, emphasising the deliberate caution of Lord Derby.

The author generally not only does full justice to the personal merits of those whose political opinions he does not share, he also tries to enable his readers to understand their point of view. We are not therefore surprised that he should speak without bitterness even of Marshal Macmahon. 'Appointed by the conservatives, the marshal considered himself to be entrusted with the defence of their interests.' He therefore persistently ignored the overtures of Gambetta, and refused to meet a statesman whom he looked upon as the incarnation of that radicalism which he had been elected to resist. But what an attitude for a constitutional ruler with a parliamentary government to assume towards the leader of the majority in the chamber! Macmahon was, as M. Hanotau frequently reminds us, an honourable man and a patriotic Frenchman, but at the same time he lets us see that he was obstinate and had all the prejudices of a soldier and a bigot. He believed that he had been entrusted by the country with the care of the army, that the minister of war ought to be his minister and not the minister of the chambers. Gambetta had conciliated the army by the interest he had shown in all that could promote its welfare. So far an understanding might have been possible with the marshal, who perhaps might have been induced to tolerate a republic as conservative as that which the

radical leader was willing to accept—at all events provisionally. But the president was the faithful son of the church, and strenuous resistance to clericalism was an essential part of Gambetta's programme. On this point compromise was impossible.

It may be that M. Hanotaux exaggerates the unanimity of the church and the subservience of the clergy to Rome (see e.g. p. 427). The Gallican spirit may not have been so completely annihilated as he supposes among the parochial clergy; and some even of the hierarchy, like the bishop of Gap (p. 529), did not wish to identify religion with any political party, or resented the interference of the orders, the agents of Rome, in their dioceses. Still on the whole it is no doubt true that while in 1848 not a few of the clergy had shown republican sympathies, the church in 1876 was almost unanimously opposed to 'liberalism.' The clerical papers declared that 'what are called the principles of 1789 should be banished for ever'; the bishop of Versailles said 'the church will not submit to the exigencies of modern politics and will not be reconciled to the spirit of the times.' Monsignor Pie, preaching before the president in the cathedral of Reims, exhorted him 'to be bold and not to fear anything from the opinion of the true people. It is ready to follow you.' He was to lead the genuine servants of France and God as Clovis led his people. As Gambetta pointed out in his speech on 'ultra-montane intrigues,' the leaders of clerical agitation were the men who also led the reactionary party. 'The church intended to keep or resume one by one all the rights which it claims.' In prophetic strain he warned his opponents that the constant encroachments of ultra-montanism, the alliance between the church and a political faction, would in the end shatter the concordat which connected church and state, and lead to separation.

The royalists, as M. Hanotaux admits, with the exception of a small and extreme section of the legitimists, who had 'learnt nothing, forgotten nothing,' had no wish to establish an autocracy. Since 'Tocqueville had convinced everyone that democracy was inevitable' they would even accept universal suffrage—carefully manipulated. The obstinate consistency of the count of Chambord made the experiment, which would otherwise have been tried, of legitimacy based on universal suffrage, impossible.

After relating how the constitution of 1875, the offspring of compromise and opportunism, 'was born amid hesitation,' M. Hanotaux pauses to sketch the different phases of the constitutional history of France during the last century. As the advent of democracy was inevitable, the problem was 'how to secure liberty within democracy.' Tocqueville had pointed out that life under a democracy was not only possible, but also not intolerable. The example of America greatly influenced him and the other framers of the constitution of 1848. All power must emanate from the people. The president, the head of the executive, and the legislature were to be elected by them; but who was to decide if these delegates of the sovereign people did not agree? The head of the strongly centralised French administration was in a position very different from that of the president of a loosely federated state, where no small part of the executive power was in the hands of the local authori-

ties. Hence in France, and especially towards the end of the Second Empire, decentralisation became part of the liberal creed. 'France,' said Jules Ferry, 'needs a weak government.' But this need was less obvious after the disasters of 1870 and the Paris Commune. It was thought that parliamentary government, i.e. the executive entrusted to a committee of the legislature, would be a check on any usurpation on the part of the president. Marshal Macmahon had no wish to become a usurper, but the latter part of M. Hanotaux' third volume is mainly concerned with his struggles to escape from parliamentary control.

The English translator, who has to attempt no easy task, in rendering M. Hanotaux's picturesque periods and somewhat violent metaphors, improves by practice. But he might do better still if he took more pains. It would be little trouble to write legitimacy instead of *legitimacy*; lay instead of *laic*; to say 'well known' when that is the meaning, and not *notorious*; to remember that 'the power,' is not the English equivalent of *le pouvoir* when what is intended is the government; to avoid such a queer Latin word as *custodet* and not to call a former editor of the *Times* Mr. Delanne. These perhaps are trifles, but they disfigure a book which ought to be of permanent value, and which moreover is handsomely printed and illustrated by excellent portraits.

P. F. WILLERT.

Short Notices

DR. HENRY SMITH WILLIAMS'S *History of the Art of Writing* (New York : Merrill & Baker, s.a.) is, alike in form and in matter, an unique publication. It consists of four parts in portfolios containing facsimiles of the writing of various ages and countries from the remotest antiquity. The first part, or portfolio, is called the Oriental Series, though, curiously enough, it begins with a large plate of Mexican picture-writing, highly coloured, after which in plate 2 come specimens of Chinese picture-writing and of syllabic symbols in the same language. Plate 3 shows a Hittite sculpture with hieroglyphics inscribed. From this we go on in further plates to an Egyptian sepulchral tablet, an old Babylonian inscription, the Rosetta stone, Egyptian hieroglyphics, an Assyrian winged bull with inscriptions, Assyrian and Babylonian baked clay tablets, Persian inscriptions and cylinders, Maya hieroglyphics (which are very artistic and probably 1500 years older than the Christian era), modern Japanese writing, and an ancient bilingual inscription in Phoenician and Cypriote ; after which comes as a specimen of hieratic writing a facsimile of the Prisse papyrus at Paris, believed to be 'the oldest book in the world.' The first portfolio further includes a photographic reproduction of the famous Moabite stone and various other curiosities. The contents of the second portfolio are called the Classical Series, and consist of Etruscan, Latin, and Greek inscriptions, wax tablets from Pompeii, and so forth, together with plates showing 'the development of the Latin script' from A.D. 800 to 1086. The third portfolio contains a Medieval Series, biblical manuscripts in Greek and Latin and the like, including illuminated manuscripts between the sixth century and 1500. The fourth portfolio is devoted to a Modern Series, including some oriental illuminations, but mostly consisting of autographs of great men from Leonardo da Vinci and Spenser to Tennyson. A specimen of Da Vinci's rough drawings, with his extraordinary writing from right to left, is a remarkable feature of this part. In days when palaeography and epigraphy are so much more studied than they used to be, a publication like this is of great interest. The plates are all on large paper, measuring 21 inches by 14, and are most delicate reproductions.

J. G.

Augustus de Morgan's well-known *Book of Almanacks*, which first appeared in 1851, has been reprinted from the stereotype plates in a third edition, revised by Mr. E. J. Worman (Cambridge : Macmillan & Bowes, 1907). For practical use we prefer the tables of Grotefend and Giry

(which are not mentioned among the books of reference here given), and the small edition of Grotefend is much more convenient than De Morgan's. The latter has the merit of being the work of a mathematician of great ingenuity, and the tables for finding the real, as distinguished from the calendar, new and full moon retain their value; but for historical purposes we want more than, e.g., the uncorrected holy days of the Prayer Book Calendar. F.

Ancient Sinope, by Dr. D. M. Robinson (Baltimore, 1906), is a reprint from the *American Journal of Philology*, xxvii. nos. 2-8, and of *Archæology*, ix. no. 8, of the result of studies made at the American School of Archæology in Athens in 1902, supplemented by a visit to the site in June 1908. No such summary of our knowledge of Sinope has been attempted since Streuber's inadequate monograph printed at Basel in 1855. The importance of the city in classical times is admitted; its fine situation in respect of Pontic trade and fisheries, and the great wealth of the interior, especially in timber, iron, and the red 'Sinopic earth,' made it at all times rich and prosperous, and permitted its continued existence until the present time. But we may doubt for the present Dr. Robinson's theory of an Assyrian domination of Sinope about 1100 B.C. The only passage which he quotes of earlier than Alexandrine age is Herodotus, ii. 104, and the Herodotean use of Σίνιοι does not bear out the inference drawn on p. 146; and to balance the authority of Furtwängler against that of Meyer, as to the presence or absence of monumental evidence, is a poor substitute for direct information on so important an issue. The author's connexion of the name Sinope with σίνωμα (p. 14) is quite as good as that with the Assyrian moon-god; the evidence on pp. 182-8 would almost justify, on the same principles, a connexion with another word, 'sin.' Sinope plays a part in the Pontic adventures of Periclean Athens; it had delicate dealings with the Ten Thousand; it was the object of a famous attack by the revolted Datames, and was probably for a while in his hands; and it was the favoured necessary seaport of the Pontic kings. Liberated by Pompeius, and colonised by Julius Caesar, it found a fresh period of prosperity in a Roman province. From scattered hints it is possible to put together something of the *ethos* of a Greek city; and Dr. Robinson has done this with skill and insight for Sinope, which was distinguished apparently for its cynics and comedians—a likely combination. Its cults supply material for a too brief chapter. A list of ninety-six inscriptions (of which more than a third were found by Dr. Robinson) includes one architectural puzzle (σπειροκεφάλων, no. 84), an epigram (no. 57) too cynical to be wholly clear, and a third-century treaty between Sinope and Histiaea. J. L. M.

Flavii Arriani quae exstant omnia, edited by Dr. A. G. Roos, vol. i., *Alexandri Anabasis* (Leipzig: Teubner, 1907), forms the first instalment of a new text of Arrian, which is prefaced by an elaborate description of the archetype MS. A. (Vindobon. Gr. 4). This is of the last years of the twelfth or first of the thirteenth century, and was presented to the emperor Ferdinand by his well-known envoy to the Sublime Porte, Busbequius. There follow a collation of the other thirty-seven extant

manuscripts, a collection of the *excerpta*, and an account of the principal editions. In orthography and accentuation Dr. Roos follows A., and reproduces half of one page of that manuscript by phototype at the end of the volume. There is a full index of the Greek proper names, as well as one of Greek authors quoted by Arrian. The latter are also indicated, in the passages where they occur, by marginal notes to the text.

D. G. H.

Dr. S. Witkowski has published a small volume of *Epistulae Privatae Graecae* (Leipzig: Teubner, 1907) of the Ptolemaic period, collected from the papyri so far published, and having, of course, not the slightest pretension to be literature. We confess we hardly see the object of reissuing these very fragmentary, and for the most part unimportant, letters in a series of texts. Scholars in general are never likely to refer to them as authorities; the few who will wish to use them would probably know the volumes in which they were severally published by their first editors. Their matter is, of course, not without interest; the collection includes, for example, the letter of Manres to certain individuals in a distant settlement on the Red Sea—one of the Petrie papyri—and several letters addressed to semi-monastic dwellers in the Memphite Serapeum. But it is, doubtless, not the matter which has suggested the edition before us, but the diction, which, as exemplifying the Greek in current use at certain dates, has a value for linguistic students. One photographic plate is appended to show two examples of early Greek hands.

D. G. H.

The second edition of Dr. Raimund Oehler's *Bilder-Atlas zu Cäsars Büchern 'De Bello Gallico'* (Leipzig: Schmidt & Günther, 1907) has been considerably enlarged, and it is now perhaps the fullest and at the same time most convenient work in existence for the study not merely of Caesar's Gallic campaigns, but also of Roman military and naval equipment and organisation in the first century B.C. There are over a hundred illustrations, taken from coins, triumphal arches, and similar original sources, together with eleven maps giving the plans necessary for the study of Caesar's sieges and battles. Prefixed to the illustrations are ninety-one pages of text in large octavo, discussing and describing (with references to the authorities) the entire *Kriegswesen*, both naval and military; the clothing and weapons of the Gauls; and, finally, the illustrations themselves, one by one.

W. A. G.

Professor D. S. Margolionth's edition of Whiston's translation of *The Works of Flavius Josephus* (London: Routledge, 1906) has the necessary defects of a revised version as compared with a fresh translation. 'It only aims at making necessary improvements and does not claim to be as thoroughgoing as that of Mr. A. R. Shilleto.' But in this limited aim it appears to be successful, and the reviser has certainly made the work more convenient for reference by indicating, in addition to the usual division of the text, the sections of Niese's text. Further service of this kind might have been rendered by making the index more complete. For instance, Meroe is not included, though Josephus's account

of this city has value; nor could it be traced by turning to 'Ethiopia,' for under this latter name there is no reference to Moses' campaign against the Ethiopians. Though it is a revision of Whiston's translation the book is not a complete edition of Whiston's *Josephus*. The notes and dissertations are suppressed as being 'antiquated in matter, and still more in spirit.' In addition to revising the translation Dr. Margoliouth has written a discriminating appreciation of Josephus and his works, and appended five notes, one of which deals with Josephus's testimony to Christ. In this Dr. Margoliouth accepts as genuine the simple references to Christ in *Ant.* xx. ix. 1, and appears inclined to accept the genuineness in part of the account given in xviii. iii. 8. In the introduction, on the other hand, his words seem rather to suggest that the entire section is 'certainly a Christian interpolation.' In the introduction and notes most of the important monographs on Josephus are mentioned. The closely printed pages are unattractive, but this must perhaps be accepted as the necessary consequence of the low price at which this volume of over a thousand pages is published.

G. B. G.

Mr. G. F. Abbott's *Israel in Europe* (London: Macmillan, 1907), admirable as are its tone and purpose, suffers from the fact that the authorities consulted are chiefly those on the Jewish side; that, in fact, what is needed is again to return to original authorities, whether Latin or Hebrew, and from them to reconstruct the history to which this book serves as a finger-post. Mr. Abbott also is unfair in his attitude to the medieval church. He does not realise at all the work it did for morality nor the justification there was for its fight against usury. Nor does he grasp the fact that the absolute hold of the king over the Jews rendered them a means whereby despotism might be promoted. This is brought out by Dr. Gross (*Anglo-Jewish Historical Exhibition Papers*, p. 211), who shows the real concessions to popular government which followed the Expulsion. Mr. Abbott's book is planned on a large scale. He modestly disclaims having given an exhaustive treatment. But a book which begins with Philo, passes on through Maimonides to Spinoza, deals with the liberty accorded to Jews in Holland, and then throws a great deal of light on their present position in Roumania cannot fail to be stimulating. The intense moral purpose pervading Mr. Abbott's book is of great value, and he will not improbably lead others to work in detail, and from original authorities, at those periods and subjects to which he has been one of the first to direct general attention in England.

E. R. Y.

It was shown in 1905 by B. Keil that the speech *εἰς βασιλέα*, which appears among the works of Aristides, was not written by that rhetor, but is a panegyric of later date addressed probably to the emperor Macrinus. In the *Philologischeskie etudy i zamietki* of Niezhin (xxiii. 2, vi.) Ivan Turtsevich writes (in German, especially for the benefit of Keil) in support of this view, at which he had arrived independently seven years ago, and defends it against the counter-theory of Domaszewski that the author was Callinicus the sophist and the emperor Gallienus. The most important point he makes is that the words designating the

emperor's position before his elevation (§ 18 : τὴν πρῶτην τεταγμένος ὅπως ἔτυχε ταχθεὶς) refer not to the lowest office (*advocatus fisci*, Keil), but to the highest—namely, the praetorian prefecture. J. B. B.

Dr. Justus Leo's excellent monograph on *Die Entwicklung des ältesten japanischen Seelenlebens* (Leipzig: Voigtländer, 1907) is a study of the *uta* (lays) in the *Kojiki*, the *Nihongi*, and the *Manyōshū*. It is more than doubtful whether any of the *uta* are earlier in their present form than the fourth or fifth century of our era—that is, all of them have been manipulated in a more or less Chinese spirit. The real division of them, therefore, is into lays which have least, those which have more, and those which have most, of the Chinese element in them. The first category are what the author calls 'typical,' and, roughly, may be ascribed to the two centuries preceding the sixth century. These are found mainly in the *Kojiki* and *Nihongi*, into the texts of which they have been inserted as more or less illustrative of the passages they are connected with. But very often they are but barely so; probably in very few cases were they composed, so to speak, *ad hoc*. Sometimes the text may have been written up to the interpolated *uta*; more often, perhaps, these were ancient chants (or parts thereof), the true significance and occasion of which were forgotten, adapted in various ways to the passages where they occur. In the seventh century the polity of China was taken over in block; it was an anticipation, analogically at least, of what nearly took place in the sixteenth and seventeenth centuries, and actually did take place in the nineteenth. The *uta* of the seventh and eighth centuries, of which the *Manyōshū* is the earliest collection, are more and more distinctly Chinese in tone and character. In the *Manyōshū* there are many *shi* (poems in Chinese), and even prose compositions in pure Chinese. The later the *uta* are, the more Buddhist do they become; the earliest are less *shintō* than mikadoist in character, the mikado being honoured not so much as the successor of his foregoers as being a direct incarnation of the divine powers, which were also the makers of the Japanese islands and all that in them is. It is only when Chinese influences become predominant that what we commonly regard as the distinctive decoration of Japanese poetry, later of Japanese art, is found—the extremely limited comprehension of natural beauty that soon became a still narrower conventionalism, pleasing in itself, but so destructive in effect that by the end of the eighth century Japanese poetry was dead, never to be revived. This course is well shown by the author. The defect of the monograph is that the uncertainty of the texts and the difficulties of the interpretation (based almost wholly on the guesses of much later commentators) are not sufficiently considered. The translations of the *uta* are founded upon those contained in Mr. Chamberlain's version of the *Kojiki* and Dr. Aston's version of the *Nihongi*; but these translations require an extended revision. F. V. D.

In *St. George, Champion of Christendom and Patron Saint of England* (London: Swan Sonnenschein, 1907), Mrs. Gordon essays to substantiate the literal accuracy of the legend that has accumulated round the name of St. George: the main point left undecided by

her is whether the dragon slain by him was a 'crocodile' (p. 15) or a 'worm' (p. 16). Those who wish to read a sober and discreet attempt to unravel the actual history of the three heroes that bore the name of George—the Arian archbishop, the tribune, and the martyr—will prefer to consult Miss F. Arnold-Forster's *Studies in Church Dedications; or, England's Patron Saints*, ii. 464–74. As to the illustrations, we may notice a picture on p. 5 of the 'remains of churches erected by Constantine and Richard I over the tomb of St. George at Lydda, photographed by the Palestine Exploration Society.' But this society, in the *Survey of Western Palestine*, ii. 268, whence the photograph is taken, give reasons to show 'that the story that it was rebuilt by Richard is impossible.' On p. 85 is a photograph of what is stated to be 'an original portrait of Edward III,' though the painting is manifestly of the Jacobean period. On p. 91 is a picture of the round table in the hall of Winchester Castle, which is stated to have been painted in green and white by Henry VIII, 'green being the colour of the livery of the British order.' Green and white were the Tudor livery colours. In the Latin quotations there are some queer-looking words, *adhuts* (p. 81), *beati Georgii moritis* (p. 89), *digriantier* (p. 46), *nessit* (p. 94), *soleune* (p. 107). When we come to the account of the founding of St. George's Chapel at Windsor, p. 74, we are told that Edward III 'appears in his new order to have been desirous of commemorating the merits of the patron saint as the champion of religious liberty.' 'Naturally, therefore, the first step the royal founder took was to secure religious liberty for his fraternity, by obtaining from Pope Clement VI (1348) a papal bull declaring the Chapel of St. George a *free* chapel—that is, *free* of papal control and jurisdiction.' It is not stated where this interesting bull is to be found. Clement VI on 12 February 1351 issued a bull

eximere perpetuo [the chapel and its ministers] ab omni ordinaria iurisdictione, dominio, et superioritate qualibet archiepiscoporum, episcoporum, archidiaconorum, et aliorum quorumlibet iudicium et officialium ipsorum ecclesiasticorum, illaque omnia ad ius et proprietatem beati Petri et sub protectione sedis apostolice et nostra suscipere.

On pp. 74, 75 are what purport to be quotations from the statutes of the college, which were drawn up by William, bishop of Winchester, 28 November 1352. The bishop however was not William of Wykeham, as implied on pp. 78, 86, but William of Edington, his predecessor in that see; and the quotations appear to be taken from the injunctions of Edward VI rather than from the statutes of Edward III. The chapel too of Edward III was in another place than that now occupied by the present Chapel of St. George, which latter was in building during the reigns of Henry VII and Henry VIII. Hence it is impossible that 'ten of the original Garter plates of the heroes of Crecy are still to be seen on the stalls they were the first to occupy' (p. 84). The Horse Shoe Cloisters, at the western end of the present chapel, are not of Edward III's date at all; neither did 'Sir Gilbert Scott ever develope from two old Edwardian houses in the Horse Shoe Cloisters a most lovely choristers' school' (p. 75). A knight of the Garter is usually

designated as K.G., not as K.C.G. (p. 102). On p. 124 a list of the officers of the Garter 'at the present time' includes Garter king, Sir Albert Woods, and the usher of the black rod, Sir Michael Biddulph, who have both been dead some years. On p. 138 the names of 'the authorities consulted for the story of St. George' are given, without however any specification of the works referred to, and the well-known Tighe and Davis appear as Tighe and Davey. G.

In the *History of the Langobards*, by Paul the Deacon, translated by Dr. William Dudley Foulke (Philadelphia: University of Pennsylvania, 1907), we have the first English version of Paul's history, a work of doubtful utility, since it is difficult to think that anyone unable to read Latin would be sufficiently interested in the subject to want it. The introduction, notes, and appendices are a careful compilation from modern writers, whose names are cited even for the simplest matters; the few notes for which no such authority is given are generally superfluous, and sometimes wrong, as where Childebert is said to have been cousin of Chlothar 'on the mother's side' (p. 153), and where the adoption of the name Flavius is said to have signified succession to the imperial dignity (p. 114). The supposition that *sabbatum paschale* could mean Easter Sunday (p. 233) shows scanty knowledge of ecclesiastical terms, and Dr. Hodgkin's authority is wrongly cited for the strange assertion that Gunthram was 'more properly king of Burgundy' (p. 147). The translation is on the whole well done, but the constant introduction of 'indeed' is not English, it is comical to find Plinius Secundus appearing as 'Pliny the Second,' and 'quite distinguished' does not translate *eminentiores* (p. 142). Commas are strewn about in profusion, with the odd result that on p. 880 Paul is quoted as the authority for the fact that Kiepert made a map for Mommsen. There are four useful maps, but they are all taken from other books. E. W. B.

Mr. J. H. Round's paper on *The Chronology of Henry II's Charters* (*Archæological Journal*, lxiv. 63-79) contains a sharp criticism of M. Delisle's memoir which we noticed last July (p. 614), and succeeds in pointing out a good many weak places in the eminent French scholar's armour. The main result of his examination is that the number of exceptions that have to be taken into account, whether due to irregularity in the chancery or to errors of transcription, is so large as to render the test laid down by M. Delisle—the absence or presence of the formula *Dei gratia*—inconclusive as evidence of date. Most of Mr. Round's, or of M. Delisle's, examples are taken from transcripts, but at the end of the paper we find a note mentioning that originals which have been examined for the purpose include indisputable exceptions to M. Delisle's rule. We hope the question will be made the subject of fuller discussion.

R. L. P.

Jung Heinrich, König von England, Sohn König Heinrichs II., by Dr. C. E. Hodgson (Jena: Kämpfe, 1906), is a doctoral dissertation which the author has composed under the direction of Professor Cartellieri, the biographer of Philip Augustus. It is a succinct and lucid *précis* of the

printed materials; the notes and the bibliography show that both the sources and the modern literature have been conscientiously examined. But it would have been well if the author had allowed himself more space to discuss the causes and the significance of events which he has taken such pains to present in their chronological sequence. He does not, for instance, attempt to explain the motives of Henry II in pressing on with the coronation of his eldest son under circumstances which made the step a new challenge to all his adversaries. This is perhaps the greatest puzzle in the history of the reign, and the more deserving of special examination as it has been evaded by Dr. Hodgson's predecessors. We naturally look, again, for a review of the theories respecting the foreign policy of Henry II which have been recently broached by Dr. Hardegen;¹ but on this subject Dr. Hodgson is silent, although he appears to be acquainted with Dr. Hardegen's monograph. A critical discussion of the sources for the life of the young prince should have been appended to the work; and a fuller treatment of his associates would have been helpful. Bertrand de Born and William Marshal are perhaps already threadbare subjects; but there is less excuse for the perfunctory manner in which Gerald of Wales and Gervase of Tilbury are noticed. No good account of the latter exists in any book of which we are aware; and, though his connexion with the young Henry is slight, a careful examination of his works might yet throw new light on one phase of his varied and romantic career.

H. W. C. D.

Mr. L. O. Pike's lecture on *The Public Records and the Constitution* (London: Frowde, 1907) brings out in a very interesting way the continuity of our machinery of government as witnessed by the continuity of the records. The plan appended, showing the evolution of the chief courts and departments of the government, is ingeniously constructed and of real value. In the lecture itself we notice a certain want of clearness in the account of the development of the courts of justice (p. 15 ff.); it needs the commentary supplied by Maitland's famous introduction to the *Select Pleas of the Crown*. Nor is it quite true to say (p. 38) that the exchequer has now 'all but disappeared,' for the comptroller-general of the receipt and issue of the exchequer remains, with a comparatively modern title, as the representative of a time when the old exchequer was in full working order, and the chancellor of the exchequer still exercises his functions in the nomination of sheriffs.

H.

We have received from Mr. John Murray a cheap reissue of Sir Ernest Clarke's excellent translation of *The Chronicle of Jocelin of Brakelond* (London, 1907). The work has been carefully revised and is well printed.

I.

The second volume of the *Close Rolls of the Reign of Henry III* (London: H.M. Stationery Office, 1905) in the new octavo series extends from 1281 to 1284. Its interest for the general history of England centres in the overthrow of Richard Marshal and the rise and fall of Peter des Roches and his adherents. We are glad that the authorities

¹ See *ante*, vol. xxi. 363 ff.

of the Public Record Office have decided to continue the publication of these rolls during the reign in full. So few of the letters are given except in the form of a summary, and so admirably concise and lucid is the summary of the thirteenth-century clerk, that not much space would have been gained by calendaring the contents of the rolls; though of course, as we remarked in connexion with the preceding volume (*ante*, vol. xviii. 401), there is room for regret that no marginal docket in English has been supplied to assist reference. In a hundred consecutive entries which we counted by chance in the roll for 1288 only three documents are set out at length; but this is an unusually small proportion. It would be interesting if it could be ascertained on what principle the selection was made. That there was a principle is shown by the appearance of an enrolment on p. 489, which begins in the summary form and goes on to reproduce the full text. It seems probable that documents of a type in common and frequent use, of which the terms were well known, were enrolled summarily, and the complete text (with certain formal omissions) only given of documents of rarer use or of special importance, or relating to matters likely to lead to legal proceedings. On p. 817 we find a reference to letters patent to the people of Alfridecumbe, or Ilfracombe, to make preparations for the king's voyage to Ireland. These letters do not appear on the patent roll: the entry on p. 818 explains, *Tenor literarum patentium satis est in literis illis*. As a curiosity we may notice a writ to the bailiffs of Gloucester, on p. 849, ordering them *quod omnes salmones escawardos quos in villa sua invenerint . . . ad opus regis appretiari et in pane poni faciant et bene attornatos ad regem transmitti*. We regret to see in a government publication the adoption of the modern foreign practice of omitting the comma before the copula in cases where more than two nouns are coupled together (e.g. *boves, oves et porcos*, p. 859). J.

Unlike the Close Rolls, the Patent Rolls will no longer be printed in *extenso*. With the seventeenth year of Henry III they begin to be dealt with by way of calendar. The first instalment of this *Calendar of the Patent Rolls, Henry III, 1282-1247* (London: H.M. Stationery Office, 1906), proceeds on the same lines as the series, now far advanced in publication, which gives us the contents of the patent rolls of Edward I and his successors. The number of documents calendared in this volume which have already appeared in Rymer's *Fœdera* is smaller than might have been expected; but two of the rolls, because they contain letters issued while the king was abroad, have already been printed in full, under the title of *Rôles Gascons*, by the French government. Unluckily, as noted in the preface, the rolls of two years, the 23rd and 24th, have been missing for more than five hundred years. K.

In view of the increased attention that has been devoted of late years to the history of the Great Schism we welcome the appearance of a second and revised edition of Signor Albano Sorbelli's *Il Trattato di S. Vincenzo Ferrer intorno al Grande Scisma d' Occidente* (Bologna: Zanichelli, 1906). The tract of the Aragonese saint, who was twenty-eight years of age when the schism broke out, ranks among the earliest and

best written of the flood of pamphlets which were poured forth on this question during the later years of the fourteenth century. Nevertheless it had been somewhat unduly neglected by modern historians of the period until the Bolognese scholar Signor Sorbelli undertook for the first time to edit it from the unique manuscript in the Bibliothèque Nationale at Paris, formerly in the papal library at Avignon. Ferrer was a convinced and combative Clementine, and his main object in composing his tractate was to persuade his sovereign, Pedro IV—to whom it is dedicated—that the neutrality he affected between the two rival popes was an untenable and sinful attitude. In this he was not successful, though Pedro's son, Juan I, was to prove more amenable to pressure or persuasion. Signor Sorbelli, in his excellent introduction, is disposed to attribute Pedro's neutrality more to pure uncertainty than to the astuteness with which he is credited by M. Valois and other historians. The editor however speaks with the greatest respect of M. Valois's work, though here and there his special knowledge of Spanish affairs enables him to correct a slip of the French scholar. The text of the tractate seems, as far as one can judge, to be reproduced with care, but in the following passage (p. 54): *Tunc aut neutri obediet aut allei solum*, the word *allei* is evidently a printer's error for *alteri*. Careful summaries and notes facilitate the study of Ferrer's argument, and an appendix of documents, most of which have been hitherto unprinted, is added. J. T.

The little *Atlante numismatico Italiano (Monete moderne)*, compiled by the late Signor S. Ambrosoli (Milan: Hoepli, 1906), has the merit of bringing together specimens of the coinage of a great number of states and mint-places now merged in the Italian kingdom. Some of the series go back far into the fifteenth century. Unfortunately the reproductions of the coins are in many instances unsatisfactory; but some of them, particularly in the Venetian series, come out very well. The bibliography at the beginning and the index of mottoes at the end will both be found useful. L.

In his *Notes on the History of the Revels Office under the Tudors* (London: Bullen, 1906) Mr. E. K. Chambers makes a valuable contribution to the history of the stage and to the history and working of an office of state under the Tudors. No words are wasted on the casual reader, the matter is compressed and requires careful attention, but the student will feel that the result is worthy of Mr. Chambers's high reputation. In a footnote on the first page Mr. Chambers gives a list of the existing publications relating to his subject, and mentions the studies promised by M. Feuillerat, which are to deal with documents from the Loseley collection not at present accessible. But it is not likely that M. Feuillerat will give us independently what Mr. Chambers has done here; rather we must suppose that he will be greatly indebted to the diligent investigation, the critical power, and the knowledge of the working of a government office which have enabled Mr. Chambers to construct a lucid history of the Revels Office to the end of the reign of Elizabeth, to disentangle its complicated finances, and incidentally to correct errors

into which his predecessors have fallen. Mr. Chambers prints practically for the first time from the Lansdowne MS. 83 three important memoranda on reforms required in the Revels Office, and determines their date and their authorship in a manner which carries conviction. The whole history is similarly sure-footed. We may add that it is a valuable contribution to our knowledge of London, especially as concerns the Charterhouse, Blackfriars, and the dissolved Priory of St. John of Jerusalem, Clerkenwell. But it lacks an index. G. C. M. S.

M. Amédée Malagrin's *Histoire de la tolérance religieuse; évolution d'un principe social* (Paris: Fischbacher, 1905) is a somewhat pretentious work which aims at large generalisations; but its historical basis is insufficient. The authorities quoted are, as a rule, secondary, and even so not always of the latest or the best; it is characteristic that the opinion of Voltaire, who is extensively quoted throughout with reference to Mahomet, is discussed at great length. The medieval burning of heretics is explained as being probably a reminiscence of the human sacrifices among the Phoenicians and the Jews, who were, it is alleged, specially given to this practice (p. 101). The old mistake that the fall of Constantinople preceded the Greek influence upon the renewal of learning is repeated (p. 189). 'The movement of the sixteenth century in favour of religious reform, but also and above all in favour of liberty of conscience,' is ascribed to a perception of the contrast between the severity of the church towards independent ideas and its tenderness towards ecclesiastical disorders and scandals—a generalisation which seems to misread about equally the course and the causes of the Reformation. It is perhaps unnecessary to say that the middle ages are treated very severely; but when we remember later (even comparatively late) days it is absurd to single out the medieval belief in sorcery as the most interesting of medieval superstitions. As two instances of subjects treated with stolid neglect of modern research one might take the early persecutions (where no mention is made of later discussions) and Erasmus. Nobody who knows anything at first-hand, or even at a respectable second-hand, of Erasmus, could describe him as a sceptic, whose only idol was antiquity, whose sole ideal was wide tolerance, and who in religious matters was probably devoid of dogma. But this description is fortified by a quotation from Voltaire, and succeeding or even preceding writers, including Erasmus himself, are therefore left out of count. As we come down to later times the treatment of the subject is more satisfactory, and finally the career and influence of Voltaire are described and estimated in some seventy out of the four hundred pages of the book. It is a pity that the subject should have been treated so unhistorically and unsatisfactorily. J. P. W.

The *Zeitschrift des Historischen Vereins für Niedersachsen* (1907, 3.) contains an article of unusual interest on the 'University of Helmstedt in the Times of the Thirty Years' War,' by H. Hofmeister, giving an account of the extraordinary vicissitudes of what at one time was the foremost university in Germany, and at another had sunk to two professors

without any students. One of those professors was Georg Calixtus, the chief glory of Helmstedt and a religious thinker far in advance of his intolerant times.

A. W. W.

M. Joseph Guyot's book on *Le Poete J. F. Regnard en son Chateau de Grillon ; étude topographique, littéraire et morale* (Paris : Picard, 1907), handsomely printed, with attractive illustrations, on excellent paper, has evidently been a labour of love to the author, who combines literary skill with the enthusiasm and minute knowledge of a local antiquary. Regnard, after Molière—a long way after—the best comic poet of the age of Louis XIV, who had travelled all over Europe from Sicily to Lapland, and had spent two years in captivity at Algiers, tired of a life of pleasure in Paris, settled for the last nine years of his life on the little manor of Grillon, near Dourdan, in the Hurepoix. His house, his manner of life, his country neighbours and visitors, even the more notable citizens of Dourdan whom he may have known, are described by M. Guyot with a detail which must be the result of careful research, but which is far from tedious to a reader who would realise country society in the France of Louis XIV. It is often assumed that before Rousseau and Anglomaniæ made country life fashionable it had not existed in France, except among the rudest and poorest of the gentry. M. Guyot shows us that this was not the case in the neighbourhood of Dourdan. But we must not forget that the Hurepoix was a pleasant district within easy reach of Paris. An accurate priced inventory of all the contents of the Château de Grillon, taken after the owner's death, is not the least interesting part of this volume.

P. F. W.

No great man ever left behind him a more abundant mass of correspondence than did Washington. The Washington Papers are now in the Library of Congress, and a series of calendars will be issued, generally descriptive of the contents of the collections. The first instalment is a *Calendar of the Correspondence of George Washington with the Continental Congress* (Washington : Government Printing Office, 1906.)

H. E. E.

Canon Jules Gendry, a simple-minded ultramontane priest without literary skill or historical insight, has worked his way through a vast pile of documents to produce two thick volumes, which few probably will have the patience to read, on *Pie VI ; sa Vie, son Pontificat, d'après les Archives Vaticanes et de nombreux Documents inédits* (Paris : Picard, 1906). The most unimportant events, such as the funeral of the cardinal de Bernis or the visit of some foreign prince to the Vatican, are chronicled with the same or even greater detail as the most important. There is absolutely no sense of proportion. Yet the book is not altogether uninteresting. The author has had access to documents which have not hitherto been used by historians. His account, for instance, of the negotiations between the Vatican and Catharine II is well worth reading. Although he honestly believes the pope to be infallible in all his dealings, he is evidently pained that the holy father should address a schismatical princess with such profound deference ; nor can he quite overcome his chagrin at the empress's ultimate success in obtaining the position she

desired for the accomplished but too independent Siestrzencewicz, as metropolitan of the Roman church in Russia, and at the extent to which she was allowed to interfere in ecclesiastical matters. Whether Pius VI in his heart disapproved as strongly as his biographer supposes of the protection accorded to the Jesuits by the philosophic empress may be doubted. The author is evidently an excellent man, a not uneducated priest full of kindly feeling, no unfavourable type of an ultramontane catholic. Yet he abominates the very name of toleration. That the elector of Treves should have given full civil rights to heretics in his dominions appears as monstrous to him as it did to Pius VI. If protestants are bad, Jansenists, such as the schismatics of Utrecht, are worse, and liberal catholics worst of all. 'Joséphisme' is an abomination to him. He is horrified that the synod of Pistoia should pronounce the pope fallible and the authority of councils to be supreme in the church. He is not ill pleased that the fury of the superstitious mob should be excited by the friars against the reforming clergy. His own credulity would seem to be boundless, since he believes that the images of the Madonna at Ancona winked and wept when they heard of the impious terms imposed by godless revolutionists on the pope at Bologna.

P. F. W.

The History of the Second (Queen's) Regiment, now the Queen's (Royal West Surrey) Regiment, by the late Colonel John Davis, is completed by the publication of vols. v. and vi. (London: Eyre & Spottiswoode, 1906), and bears witness to the author's inexhaustible energy and industry no less than the previous instalments of the work. The bulk of the material for them had been collected by him before his death in 1902, and Major W. D. Bird has finished the work on the lines already adopted. The record of the regiment during the period covered by vol. v. is one of no small distinction, for though not so fortunate as to take part in the Sikh wars, or in the Crimea, or in the suppression of the Mutiny, the Queen's have added no less than ten new 'honours' to the distinctions on their colours. These include 'Afghanistan' with 'Ghuznee,' 'South Africa 1851-3,' 'China,' 'Burma 1885-7,' 'Tirah,' 'South Africa 1899-1902' with special mention of the 'Relief of Ladysmith,' in which the Queen's took a prominent and distinguished share. The whole volume testifies to the enormous value of sound regimental traditions and system in peace and war alike; *esprit de corps* is not the least important element in efficiency, and it is well that a regiment with a record so long and so creditable as that of the Queen's should have had its services so exhaustively recorded.

C. T. A.

The second volume of *Mediæval London*, by the late Sir Walter Besant (London: Black, 1906), is entitled 'Ecclesiastical,' though nearly one third of it deals with the municipal government. It is largely a work of paste and scissors, and they have not been applied with intelligence. For instance, on p. 8, 9 we are given extracts from portions of the London charters of Henry I and Henry II, which Mr. Round made for the purpose of a special comparison; but on p. 10 we read of 'the

most important omission,' or rather omissions, in the later charter, which refers to a passage not contained in the previous text at all, for the simple reason that Mr. Round had already discussed it at an earlier stage. On p. 81 we are told that the bishop of London was an alderman. 'He did not therefore take part in the temporal government of the city as bishop, but as alderman. This right he delegated to a provost.' On p. 46 it is supposed that the charters of the city ousted the royal justice. On pp. 88 ff. Fabian and Holinshed are vouched as authorities for the twelfth century. On p. 186 a passage which really comes from Matthew Paris is given in the disguise imparted to it by Holinshed. On p. 188 we are referred to Holinshed and 'Matthew of Westminster' for a story which belongs to Matthew Paris. There is no excuse for the confused account here given, as Maitland has analysed the whole evidence (*Roman Canon Law*, pp. 168-173). On p. 140 Cistercian abbeys are adduced as typical specimens of Benedictine foundations. On pp. 197 f. we are given a solid extract from Stow for an event of the year 1850, which proves to be a translation from Geoffrey Baker. On p. 210 the famous case of Hawke in 1878 is given as that of Hawke (three times) in 1898. On pp. 803-808 we find an elaborate account of the modern alterations in the fabric of St. Saviour's, Southwark, which stops short in 1884. On p. 825 we are offered a 'copy' of a deed which proves to be an incomplete and inaccurate translation. P. 872 contains some Hebrew names incorrectly written. They should have been put right with the help of Mr. Michael Adler's paper in the *Transactions of the Jewish Historical Society*, iv. 40 (1908). It would be waste labour to pursue the examination further. We content ourselves with a selection of *errata* :

P. 7. The *Dialogus de Scaccario* is included among 'Chronicles.'

P. 22. The late Bishop of Oxford is styled 'Dean Stubbs.'

Ibid. For 'news' read 'reeve.'

Pp. 24, 25, 88. Archdeacon Hale is called 'Hall.'

P. 45. For 'judges' read 'pledges.'

P. 69. For 'Walton' House read 'Wilton.'

P. 91. For '1191' read '1189.'

P. 97. For 'tithes' read 'hides.'

P. 242. 'Pope Immanuel I' means Innocent II.

P. 249. For 'Thane' read 'Thame.'

Pp. 276, 278. For 'Jacques de Moray' read 'Molay.'

Such a compilation can never be consulted without suspicion, even though it includes a great deal of interesting matter and some useful references. The illustrations are heterogeneous. One could have spared the reproductions from modern historical pictures, but the majority of the illustrations are good. We are specially glad to have the photograph of two Elizabethan plans of Holy Trinity Priory, Aldgate, following p. 244, and the drawing of the Greyfriars' buildings in 1617 (p. 351).

M.

In *The Manor and Parish Church of Hampstead* (Hampstead: S. Mayle, 1906) Mr. J. Kennedy has a good deal that is interesting to tell about the Middlesex town, and his work is above the average of its class, though it has serious defects. But it deserves attention by virtue of an extent of the manor in 1812, which somehow has drifted from

Westminster Abbey, to which Hampstead belonged, into the Cambridge University Library. Mr. Kennedy has had it well copied and accurately printed, though his own notes to it are not very illuminating. The document is exceedingly full and instructive, and Mr. Kennedy has done a real service to history in bringing it to light. E. W. W.

Canon E. J. Beck's *Memorials to serve for the History of the Parish of St. Mary, Rotherhithe* (Cambridge: University Press, 1907) is a collection of materials of very varying interest and value. It includes a short essay by Professor Bonney on the geology of Rotherhithe as part of the Thames valley, an account of the descent of the manor and of the commissions issued for the repair of the river wall (pp. 21-82); a number of chapters on the parish church and its rectors, curates, church plate, registers, monuments, and inscriptions (pp. 84-164); short notes on a number of old Rotherhithe families (pp. 164-98); some very interesting notes drawn from the memory of an old inhabitant on the physical aspect of Rotherhithe in 1800; and a series of extremely brief chapters on the ship-breakers, the manor since 1740, Prince Lee Boo, the Thames Tunnel, the docks, the watermen, the municipal government, local murderers and incendiaries, and Rotherhithe of to-day. The book is copiously illustrated and has two maps. Rotherhithe has had a romantic history which is worthy of being written. Emerging slowly and with frequent lapses from the river during the middle ages, it became for a time under the Stuarts a busy ship-building centre. Later, as the tide of industrial expansion carried ship-building further out of London, the less noble art of ship-breaking succeeded, and finally, with the advent of the Surrey docks, Rotherhithe gave back half its surface to the river and became a district of timber wharves and 'water-side characters.' The story of a community which has passed through such vicissitudes would have social value as well as romantic interest. For the later period of decadence Canon Beck's book would provide some useful material—ample material, indeed, for the later ecclesiastical history of the parish. But we could well have spared some of the pages devoted to monumental inscriptions and to the school treat of 1885, if we could have had in their place some glimpses of the life of the people of Rotherhithe (such as there is reason to think the State Papers might have furnished) in the century that preceded the settlement of that great traveller Lemuel Gulliver in the parish. G. U.

Trade and Currency in Early Oregon, by Dr. J. H. Gilbert (*Columbia University Studies in History, Economics, and Public Law*, vol. xxvi. no. 1), describes the fur trade under British monopoly, the beginnings of agriculture in the north-west, and the subsequent history in special relation to the varying currencies. H. E. E.

Although *The Tobacco Industry in the United States*, by Dr. M. Jacobstein (*Columbia University Studies in History, Economics, and Public Law*, vol. xxvi. no. 3), is concerned, for the most part, with economic questions, the first two chapters deal with the history of the cultivation of tobacco in the colonial and subsequent periods. By a curious slip, in a publication issuing from Professor Osgood's University, Mr. (sic) Edwin Sandys is described as the first treasurer of the Virginia Company. H. E. E.

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FELLOW OF MAGDALEN COLLEGE AND LECTURER IN DIPLOMATIC IN THE UNIVERSITY OF OXFORD

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